



Volume 6 Issue 2

The Kenya School Of Law

JUSTICE

Newsletter



Prospects and Opportunities in Legal Training in Kenya: Embracing the New Generation



The Kenya School of Law is ISO 9001:2015 Certified

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From the Editor

Welcome to Volume 6 Issue 2 of the Justice Newsletter

The theme for this edition is "Prospects and Opportunities in Legal Training in Kenya: Embracing the New Generation". This theme resonates with the changing landscape of the legal education in Kenya.

The Kenya School of Law (KSL) is strategically placed at the forefront of reshaping legal training in Kenya by embracing issues around digital divide in the legal practice and providing opportunities for bridging the generational gap within the Legal Profession. In this publication, we have published enlightening articles revolving around the issues of Prospects and Opportunities in Legal Training in Kenya: Embracing the New Generation.

Collaboration in Legal Education is one of our key milestones featuring in an article covering the successful CopyrightX programme where the School in collaboration with Harvard Law School graduated the first cohorts for the 2023 class. The publication has focused on other key events including the KSL Cultural Week and KSL Customer Service Week.

We have also featured articles on the students' experiences through the legal aid events attended by both Advocates Training Programme(ATP) and Paralegal training

Programme (PTP) and the interclass moot court competitions. This edition also features departmental briefs and events from the various departments of the school and staff members. These includes; ATP and CPD departmental briefs, sports at KSL and the Library of the future .

Finally, we covered insightful articles with a wealth of information on issues relating to the impact of virtual court sessions on young lawyers, embracing the new generation of advocates,bridging the digital divide in the legal practice and the power of content making in the digital age.

We are grateful to the Board and the Management of the School for their continued support and to all of our authors and contributors specifically our staff and students who have contributed to the success of this publication over the last four years.

Special gratitude goes to the Editorial Committee for their dedication and effort in publishing this issue.

Enjoy the read.

Christine Kungu is a Senior Lecturer at the Kenya School of Law

The Editorial Team



From Left to right: Samuel Akhwale, Raphael Ogello, Clementine Akai, Naserian Sitelu, Agnes Mwai, Christine Kungu, Anastacia Otieno, Carolyn Marete, Linnett Odawo, Fredd Wakimani and Sammy Makokha.



Prof. Joseph Mworia Wamutitu
Chairperson, Kenya School of Law Board

Word from the Chairperson, KSL Board

This is a theme that resonates with most organisations in terms of the changes being experienced in the work force. The same applies at the School whereby majority of our current students are in the new generation (Gen Z). This theme highlights the evolving landscape of legal education and training in the context of the Gen Z lawyers and legal professionals.

Adapting to client needs is also key for Gen Z. Law firms and legal organisations are increasingly seeking lawyers who can provide value-added services. Legal training should focus on client-centered approaches, effective communication and understanding client needs beyond just legal expertise. These changes indicate that traditional legal education may no longer fully prepare Gen Z lawyers for the market.

On behalf of the Kenya School of Law Board of Directors, I take this opportunity to congratulate the School Management for publishing Volume 6, Issue 2, November edition for 2023 of the Justice Newsletter. The Justice Newsletter is one of the School's key information, education and communication (IEC) tools that helps in communicating to the School's internal and external stakeholders about the School's activities that have taken place within a specific duration.

It includes significant changes due to advancements in technology, diversity and inclusion, shifts in client expectations, and evolving societal needs.

We are aware that the Gen Z is accustomed to digital tools. Therefore legal training programs need to incorporate technology-driven learning methods, such as online courses and virtual reality simulation. Embracing this generation also involves addressing issues of diversity and inclusion. Legal training programs should prioritize creating an inclusive environment that reflects the diverse backgrounds and perspectives of today's society.

In conclusion, the School is evolving to meet the needs and expectations of the Gen Z legal professionals. By adapting to these perspectives and opportunities, our training will help prepare lawyers to excel in a rapidly changing legal landscape. In this publication, there are enlightening and educative articles revolving around the said theme. It is our hope that the articles in this publication will help in making a positive change on how best the legal fraternity can embrace the new generation.

The theme for this edition is "Prospects and Opportunities in Legal Training in Kenya: Embracing the New Generation".



ICJ-Kenya Executive Director, Elsa Saina (centre) and ICJ-Kenya staff together with the KSL Director Dr. Henry K. Mutai flanked by the Assistant Director ATP (second right) together with ATP and PTP lecturers during the signing of the MOU between the two institutions.



Dr. Henry K. Mutai
*Director/Chief Executive Officer,
Kenya School of Law*

Word from the Director/Chief Executive Officer

I would like to welcome you to this issue of the Justice Newsletter, Volume 6 Issue 2 of 2023. This publication is aimed at providing our stakeholders with updates on key events that have taken place within the School. It also provides a forum where authors can share original articles on the chosen theme for that issue.

Over the period covered by this issue, the School managed to achieve a number of major milestones. One milestone was the introduction of the Certified Secretaries (CS) Course in August this year. This came about as a result of a signed Memorandum of Understanding (MOU) between the School and the Institute of Certified Secretaries (ICS) which took place in November 2021. The CS course is aligned with the Kenya Accountants and Secretaries National Examinations Board (KASNEB) calendar in terms of the intakes and the examinations. The classes are conducted as evening virtual classes. This Course is housed under the Continuing Professional Development Division (CPD) of the School.

In discharging its mandate, the School has continued to train candidates undertaking both the Advocates Training Programme (ATP) and the diploma in Paralegal Training Programme (PTP). The registration of PTP students' class of 2023/2024 academic year was successfully done and classes started in July. We enrolled 140 students, of whom 126 are female, while 81 are male. The classes are ongoing and we conduct both physical and virtual classes. On the other side, the ATP intake for 2024/2025 academic year is ongoing with the deadline for applications being 30th November 2023. Applications for the Pre-Bar examinations also close on 30th November 2023.

As a means of enhancing the student experience, the School has continued to support students in various ways such as financial support, legal aid clinics and moot courts competitions. In terms of financial support, I am happy to report that the School has partnered with the Higher Education Loans Board (HELB) to extend support to PTP students who face financial challenges. The inaugural tuition loan for this group supported 62 PTP students. The loan range was from Kenya Shillings 34,500 to Kenya Shillings 59,000, enough loan to cater for at least one term. The beneficiaries of the loan were first year and second year students. That means we have two sets of students' tuition loan, the ATP tuition loan and the PTP tuition loan all being administered by HELB on behalf of the School.

The legal aid activities help the students apply the knowledge and skills acquired to assist people in the society and those awaiting disposal of their appeals with the legal issues facing them. Moot courts competitions help the students simulate a real life court environment as closely as possible which in turn helps them in sharpening their legal research skills. Apart from the academic activities, the students were engaged in extra curriculum activities such as games and sports.

On a separate note the School has continued to seek beneficial mutual partnerships with various institutions. In the past few months, the School has signed a number of MoUs which included and are not limited to Center for International Health, Education, and Biosecurity (Ciheb –Kenya), Kenyan Section of the International Commission of Jurists (ICJ Kenya) and the National Council for Law Reporting (KenyaLaw).

Finally, I would like to thank the Editorial Committee for their tireless efforts in ensuring that Volume 6 Issue 2 of the Justice Newsletter 2023 has been published.



Milestones

Collaboration in Legal Education: The Future of Legal Learning

By Fredd Wakimani

Collaboration in legal education is the practice of working together with other law schools, faculty, students, and practitioners to share knowledge, resources, and ideas. It can take many forms, such as joint programs and courses, student and faculty exchange programs, research and online collaborations. The future of legal education is likely to be increasingly collaborative. As the world becomes more interconnected, legal practitioners will need to be able to work effectively with colleagues from different countries and cultures. Collaboration in legal education can help students develop the skills and knowledge they need to succeed in this globalized world.

Collaboration in legal education is essential for a number of reasons. First, it allows students to gain a broader and deeper understanding of the law by learning from different perspectives. Second, it helps students to develop the skills and knowledge they need to practice law in a globalized world. Third, it promotes innovation and creativity in legal education.

The recent course offered at the Kenya School of Law, CopyrightX was initiated in collaboration with Harvard Law School. This is a shining example of the power of collaboration in legal education.



Mr. Fredd Wakimani, Senior Lecturer receives a certificate from the KSL Director upon successful completion of the CopyrightX programme

CopyrightX is a twelve-week online course offered annually from January to May by Harvard Law School and the Berkman Klein Center for Internet and Society.

KSL offered the course in a hybrid fashion. The online hybrid format of the CopyrightX program was particularly well-suited for Advocates Training Programme (ATP) students as it consisted of online materials including videos. The students had to go through these and carry out further research on their own. This was coupled with physical classes and discussions using the online study materials. Additionally, there was a special one-day event that brought together experts in copyright law for a seminar. This consisted of presentations and discussions by both local and international speakers.

This format allowed students to connect with and learn from experts from all over the world.

Additionally, the flexibility of the online format allowed for easier participation of the student in collaborative projects and assignments.

The course explored the current law of copyright, its impact on art, entertainment, and industry, and the ongoing debates concerning how the law should be reformed. In the inaugural class at KSL, 19 students undertaking the Advocated Training Programme (ATP), simultaneously undertook the CopyrightX and managed to complete the course. This gives them an added qualification on their resume as they leave KSL and proceed to enter the legal profession as young advocates.



KSL Director, Dr. Henry Mutai officiates the awarding of certificates to the first cohort of the CopyrightX programme 2023 held at the Kenya School of law

It is inevitable that the future of legal education is likely to be increasingly collaborative. As the world becomes more interconnected. Lawyers will need to be able to work effectively with colleagues from different countries and cultures. Collaboration is the bridge that connects students to the global legal community and empowers them to succeed in a rapidly changing world.

Collaboration in legal education can be enhanced by:

- Developing joint programs and courses with other law schools, both domestically and internationally. This could include joint degree

programs, student exchange programs, and faculty exchange programs.

- Encouraging faculty and students to participate in research collaborations. This could involve joint research projects, co-authored publications, and co-presented conference papers.
- Use of technology to facilitate collaboration. This could include using online discussion forums, video conferencing, and cloud-based collaboration tools.
- Creation of a culture of collaboration within the law school. This could involve promoting

teamwork among students, encouraging faculty to collaborate on research and teaching projects, and providing support for collaborative initiatives.

By taking these steps and embracing collaborations legal education can be tailored to prepare students to take on challenges and opportunities in the legal profession from a global perspective. Collaboration in legal education is thus essential for developing the skills and knowledge that legal practitioners need to succeed in a globalized world.

Fredd Wakimani is an Advocate of the High Court of Kenya and a Senior Lecturer at the Kenya School of Law



Departmental Briefs

ATP Departmental Brief

By Gad Gathu

Lawyers are sometimes likened to warriors fighting for the cause of justice. One of the fundamental tenets of the cause of justice is access to justice. However, due to various factors including but not limited to poverty, ignorance and limited resources, access to justice for all remains an elusive goal and a lofty aspiration. Access to justice includes access to quality legal aid for those who cannot afford it. The criminal justice system in Kenya has a huge demand for quality legal aid for remandees and convicts who are in the process of appealing against their convictions or sentences or both such conviction and sentence. Other areas that have witnessed demand for legal aid include the areas of family law and land disputes.

It is with the foregoing in mind that the Advocates Training Program (ATP), as the premier training ground for members of the legal profession runs a robust legal aid program, based on clinics that are focused on providing quality legal aid. The legal aid clinics are meant to expose students to practical client interviews, give them a chance to apply what they have learnt in class and to also give back to the community.

In the first quarter of the 2023/2024 Financial Year, ATP students visited the following prisons to offer legal aid.

- Kibos Prison in Kisumu on 15th July 2023.
- Kabarnet Prison in Baringo County on 2nd September 2023.
- Shimo la Tewa Prison in Mombasa County on 14th October 2023.

The students had an opportunity to have one-on-one interactions with remandees and convicts. The advice given ranged from basic court procedures to analysis of strengths and weaknesses of cases.

It has been realized that one of the ways of reaching communities is by providing quality legal aid services through churches. In the same quarter, legal aid clinics were organised in the following churches:

- CITAM Kitengela on 22nd September 2023.
- CITAM Karen on 23rd September 2023.

Apart from legal aid clinics, the ATP department organized successful student mentorships. This was held both physically and virtually. The first mentorship session was on the theme of stress and management. The session was conducted by Dr Margaret Njihia. Students benefited immensely from the speakers experience especially coming at a time when they were just about to start their oral examinations

On 6th October 2023, ATP held a second mentorship session facilitated by our Principal Lecturer, Justus Munyithya. The theme of the mentorship was ICT and the Law. Speakers at the mentorship event included the following advocates; Ochieng Oginga, Joy Impano, Johnson Kariuki, Mutua Mutuku, Alex Kanyi, Wandare Patrick, Lavince Odongo and our Senior Lecturer Christine Kungu.

The oral examination were held from 24th July 2023 to 18th August 2023.

The department held an inter class moot competition on 14th October 2023 with the finals being held on 28th October 2023.

In terms of classroom instructions, the second term of the academic year started on 2nd May 2023 and concluded on 15th July 2023. Students thereafter submitted their project work which has since been marked and results released to students. The third and final term of the Academic Year commenced on 21st August 2023 and concluded on 4th November 2023.

On 1st December 2023, the school will celebrate the achievements of the class of 2022 in a graduation ceremony scheduled to be held at the School's Karen Campus. We anticipate that the ceremony will be more colourful than ever as we mark our 60th anniversary.

The class of 2023 has a date with the Council of Legal Education (CLE), when they sit their bar exams starting from 16th November 2023 to 28th November 2023. We are confident that they have properly prepared and are adequately equipped for the Bar exams. We wish them success.

As we come to the end of the year, we take this opportunity to wish everyone happy holidays and an exciting new year full of opportunities.

Gad Gathu is an Advocate of the High Court of Kenya and a Lecturer at the Kenya School of Law .



Kenya School of Law Legal Aid Programme: Embracing New Prospects and Opportunities

By Anastasia Otieno

The Kenya School of Law (KSL) in its quest to access justice for indigent citizens has been running a robust legal aid programme for several years. This involves the students giving legal aid to the Prisoners and Communities. During the year 2023, KSL has increased the scope of its legal aid beyond its traditional clientele in the prisons and moved towards communities. The School has also included the paralegals in the legal aid programme and has on some occasions conducted joint legal aid by both the Paralegal Training Programme (PTP) and the Advocates Training Programme (ATP). This allows for a very rich transfer of knowledge, as a paralegal student will sit at the same table with an ATP student, while offering legal aid to a client.

This expanding scope has led to creation of new partnerships. Some of our new partners include medical-oriented NGOs and churches. This has led to the School signing Memorandum of Understanding (MOU) with these organizations and partnerships in offering community legal aid.

Among the MOUs signed for purposes of legal aid is the one with Kenya Women and Children's Welfare Centre (KWCWC) and Centre for International Health Education & Biosecurity Kenya (CIHEB) both of these NGOs deal mainly with Gender Based Violence. These MOUs will enable the School jointly with these NGOs, to give



ATP students conducting Legal Aid at the Shimo la Tewa Prison in October 2023

legal aid and support in terms of participation in training and capacity-building initiatives. These includes Gender Based Violence (GBV) survivors, GBV-related Paralegals and GBV support stakeholders including police, nurses, chief, and community paralegals. The trainings will include but not be limited to trainings on self-representation by the client and alternative dispute resolution. The School will also jointly participate in providing legal aid services both physically and virtually in areas of mutual interest such as the development and implementation of training curriculum and operational manuals. The School will also offer support to our partners in the development of relevant GBV IEC materials and the creation of a directory for all Kenyan Legal Aid Providers among others.

During the Academic Year 2023, the School conducted legal aid to several prisons and communities. In addition, the ATP students provided legal aid to prisoners in Nakuru, Kibos, Kabernet and Shimo La Tewa prisons. In partnership with KWCWC the School also provided legal aid at the Kiganjo Police Training School whereby the

students were exposed to the role of lawyers as community educators and change-makers. The PTP students on the other hand offered legal aid in partnership with KWCWC and a Kisumu-based NGO, Smile For Me Kenya at Nyalenda, Railways and Angola in Kisumu County.

During the same period, the School in partnership with Christ is The Answer Ministries (CITAM) of Woodley, Karen and Kitengela provided legal aid to the church members and the communities around them. These legal aid sessions were attended by both lawyers and students of ATP and PTP.

With this expanded scope the School can reach out to the indigent members of the community within which we live and at the same time still serve traditional clientele. The partnerships can in some instances mitigate costs while offering solutions to partners who may lack the capacity to solve legal issues.

Anastasia Otieno is an Advocate of the High Court of Kenya, a Principal Lecturer and Coordinator of the Legal Aid Programme



THE KENYA SCHOOL OF LAW
MAIN ADMINISTRATION WING

KENYA SCHOOL OF LAW

ADVOCATES TRAINING PROGRAMME

BACKGROUND

The Kenya School of Law (KSL) is established under the Kenya School of Law Act, 2012 which provides that KSL is a public legal education provider responsible for the provision of professional legal training as an agent of the Government. The Kenya School of Law (KSL) conducts a postgraduate training for law graduates which is known as the Advocates Training Programme (ATP). The ATP trains and prepares law graduates for the written Bar Examinations which are set, administered and marked by the Council of Legal Education (CLE). Therefore, Advocates Training Program (ATP) has the objective of training lawyers for entry into the legal profession. Training is conducted in 18 months; 12 months in-house and 6 months pupillage (internship).

ATP OBJECTIVE

To provide a technique-oriented training to complement the theoretical and intellectual approach towards law teaching imparted during undergraduate level.

ADMISSION REQUIREMENTS

- Having passed the relevant examinations of a university, university college or other institutions prescribed by the Council of Legal Education, holds or has become eligible for the conferment of the Bachelor of Laws Degree (LLB) in the grant of that university, university college or other institution
- Attained a minimum entry requirement for admission to a university in Kenya
- Obtained a minimum grade B (plain) in English Language or Kiswahili and a mean grade of C+ in the Kenya Certificate of Secondary Education or its equivalent

CLASSES

- Teaching in ATP is conducted on a clinical basis, practical for the purpose of equipping the learner with skills to practice law in the real-life situation.
- The classes are divided into "firms" which are study groups where legal problems and issues are thoroughly discussed.
- There are also moot courts which simulate actual law firms in practice before courts of law.
- The faculty is composed of both full time lecturers and adjunct lecturers who provide and impact the much needed practical and professional training of lawyers.
- Classes are held in the morning, afternoon and evening/Saturday.

EXAMINATION

For one to successfully complete ATP one has to pass (obtain a score of 50% and above) in all the 9 units: Civil Litigation, Criminal Litigation, Probate and Administration, Legal Writing and Drafting, Trial Advocacy, Professional Ethics and Practice, Legal Practice Management, Conveyancing, Commercial Transactions. Assessment of the programme is in four phases: project work (20%) (1st Term), Oral examination (20%) (2nd Term), Written examination (60%) (3rd Term) and Supervised pupillage (not graded but is compulsory) (4th Term).

COLLABORATIONS

The School has key linkages with other institutions which are, The Higher Education Loans Board (HELB), The Chartered Institute of Arbitrators, The Advocates Complaint Commission, and the Advocates Disciplinary Committee to mention but a few.

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KENYA SCHOOL OF LAW

PARALEGAL TRAINING PROGRAMME

BACKGROUND

The Kenya School of Law is an institution established under the Kenya School of Law Act, No 26 of 2012. In exercise of its mandate the School offers a two year Diploma in Law under its Paralegal Training Programme.

TARGET GROUP

- 1) Form four leavers who meet the below entry criteria.
- 2) The staff working in National Police Service, Kenya Prisons, the Judiciary, the State Law Office, the Bar, Non-governmental organizations, the corporate world and National & county Government departments among other stakeholders who meet the entry requirements.

OBJECTIVE

To train middle cadre to support legal professionals at the practicing Bar, the corporate world, government institutions and Non-governmental organizations.

ENTRY REQUIREMENTS

To be eligible for admission into the Diploma in Law in the Paralegal Training Programme at the Kenya School of Law an applicant must:

1. Have a mean grade of C (C Plain) in the Kenya Certificate of Secondary Education (KCSE) (or equivalent examination) and a minimum grade C+ (C Plus) in English.
2. At least one Principal pass at the Kenya Advanced Certificate of Education (KACE/A-Level) examinations.
3. A distinction or credit pass at Diploma level in a relevant field.

LOCATION


The Paralegal Training Programme is conducted at the Kenya School of Law town campus, which is situated at Development House, 5th Floor, Moi Avenue Nairobi.


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CPD Departmental Brief

By Isaac Kuloba

The School continues to deliver on its mandate to conduct continuous professional development training and carry out research. This is being accomplished through the CPD department.

As part of its mandate, the School has established a name for itself in the areas of Legal training and Consultancy by continuously coming up with innovative areas of training that are emergent and beneficial to the post-modern advocate. In the period between April and November 2023, several trainings have been offered by the department in accordance with the annual calendar or tailored to meet customers' requests. These trainings have so far included; Legislative Drafting, Legal Audit and Compliance, Regulatory Impact Assessment and Statutory

Instruments, Negotiating and Drafting Commercial Contracts, Legal Practice Management, Data protection, Legal Auditor Certification, Advanced Negotiations for lawyers.

Besides the calendar programmes being offered, the School has entered in various MoUs with various organizations to offer tailored made courses for their members of staff. The School has also partnered with other intuitions to provide experts to facilitate some of the trainings we conduct and also collaborate in creating new areas of training. Some of the courses offered have grown to be niche areas for training by the School. These courses include:

Legal Auditors Certification

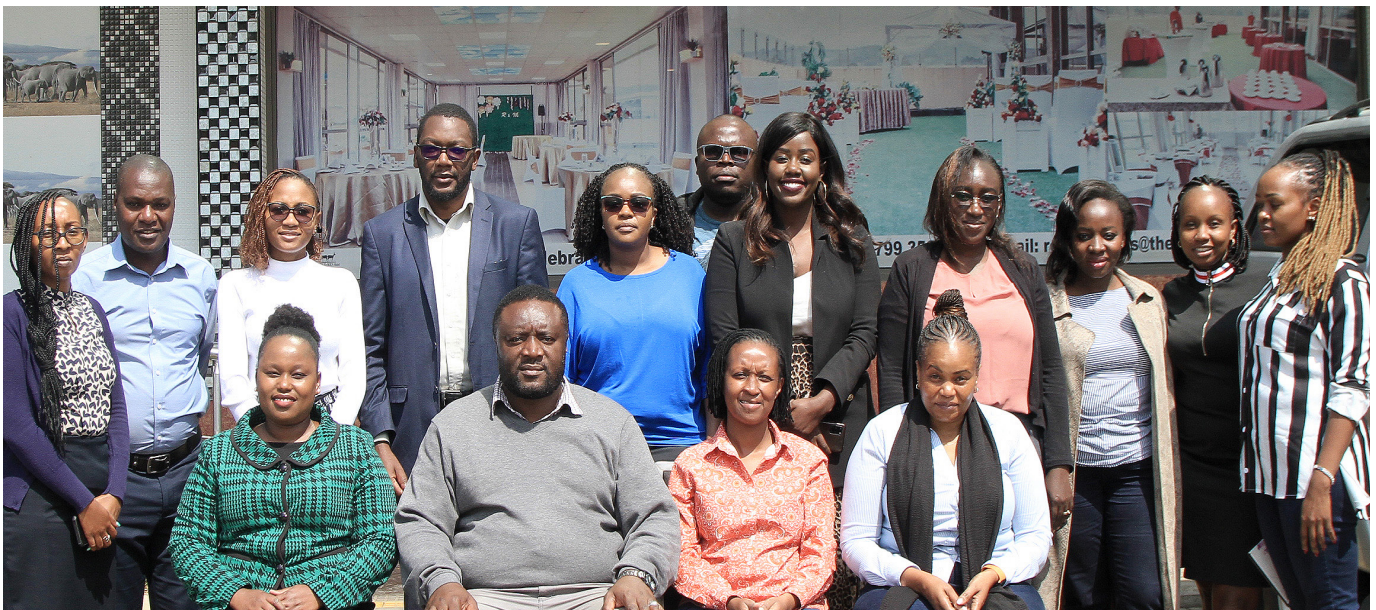
The Legal Auditors Certification course is a specialised course equipping the trainee with skill that enable them to conduct legal audits. So far, the School has had three cohorts of certified legal auditors with another cohort scheduled in the

training calendar. The course runs for a duration of two weeks. On the first week, the participants engage in classroom learning couple with various practical assignments. On the second week, they sit an assessment test in which one is expected to pass in order to be a certified auditor. The school is the leading trainer in this course with professional and experienced facilitators.

Legislative Drafting

The School was able to conduct a nine-weeks course for officers from the office of the Attorney General. The Legislative drafting course is one of our premium course attracting participants from both public and private sector. A typical calendar course on legislative drafting takes one week to complete.

The course is facilitated by expert drafters who boast of many years of experience in training and drafting legislations.



Participants at a CPD Legal Auditor Certification course held at Ole Ken hotel Nakuru from 24th to 28th July 2023



Participants at the Public Procurement Law CPD course for officers of the KRA held at KSL from 23rd to 26th October 2023

Training for Certified Secretaries

The School has been accredited by KASNEB to offer the Certified Secretaries programme. The first group of students began training in August 2023. Over 200 students have enrolled to participate in the programme. The ongoing training include beginners and intermediate levels. The School has engaged facilitators with great experience and expertise to carry out the training. This cohort is expected to sit for their exams in December 2023.

Currently, registration is open for those interested in beginning the January 2024 classes. The School is admitting interested students for beginners, intermediate and advance levels.

Legal and Governance Audits

The School has been able to conduct legal and governance audits for various public institutions. The School remains an authority in matters legal and governance audit since it pioneered the programme. This has necessitated that it collaborates with other reputable firms in order to attract more clientele and dominate the sectors. So far, these partnerships have yielded two very productive audits and the first Data Protection Audit.

The School continues to engage with multiple stakeholders with the view of expanding its scope on various areas of audit such as procurement, human resources, data protection among others.

Further Information

More information about future courses can be found on our website <https://www.ksl.ac.ke/cpd-courses/> or send us an email on cpd@ksl.ac.ke for further inquiries. Interested participants can also register for upcoming courses on [services.ksl.ac.ke](https://www.ksl.ac.ke/services.ksl.ac.ke).

Isaac Kuloba is an Advocate of the High Court of Kenya and an Assistant Director in the Continuing Professional Development Department at the Kenya school of Law

The Kenya School of Law Continuing Professional Development Calendar of Courses/Seminars for Financial Year July 2023 - June 2024

Train with Experts



THE KENYA SCHOOL OF LAW
CONTINUING PROFESSIONAL DEVELOPMENT(CPD)

ISO 9001:2015

CALENDAR OF COURSES/SEMINARS: JULY 2023 – JUNE 2024

NO.	COURSE TITLE	DURATION	DATE	KSHS. (INCLUSIVE OF 16% VAT)	VENUE
1.	DATA PROTECTION AND COMPLIANCE: LAW, POLICIES AND COMPLIANCE FRAMEWORKS	5 DAYS	10 TH – 14 TH JULY	95,000	MOMBASA
2.	LEGAL AUDITOR CERTIFICATION	5 DAYS	24 TH – 28 TH JULY	105,000	NAKURU
3.	ADVANCED NEGOTIATION STRATEGIES FOR LAWYERS	5 DAYS	25 TH – 29 TH SEPT	58,500	KSL, KAREN
4.	MEDIATION IN THE PUBLIC SECTOR	5 DAYS	6 TH – 10 TH NOV	58,500	KSL, KAREN
5.	INTRODUCTION TO LEGAL AUDIT & COMPLIANCE TRAINING	5 DAYS	13 TH – 17 TH NOV	95,000	MOMBASA
6.	PUBLIC PROCUREMENT AND DISPOSAL: MITIGATING AGAINST PROCEDURAL AND LEGAL PITFALLS	5 DAYS	20 TH – 24 TH NOV	95,000	NAIVASHA
7.	EFFECTIVE TAX PRACTICES FOR LAWYERS	5 DAYS	4 TH – 8 TH DEC	58,500	KSL, KAREN
8.	LITIGATION IN A DIGITAL ENVIRONMENT: A REFRESHER COURSE FOR IN HOUSE COUNSEL	5 DAYS	4 TH – 8 TH DEC	95,000	MOMBASA
9.	GREEN PUBLIC PROCUREMENT	2HRS	11 TH JAN	3,000	VIRTUAL
10.	PUBLIC POLICY MAKING: LAW, POLICY AND PRACTICE	5 DAYS	15 TH – 19 TH JAN	95,000	MOMBASA
11.	LEGAL AUDITOR CERTIFICATION COURSE	5 DAYS	22 ND – 26 TH JAN	105,000	NAKURU
13.	BOARD SECRETARIAL PRACTICES	5 DAYS	5 TH – 9 TH FEB	95,000	NAIVASHA
14.	INTRODUCTION TO INVESTIGATIONS AND COURTROOM SKILLS	5 DAYS	12 TH -16 TH FEB	58,500	KSL, KAREN
15.	EFFECTIVE PROCUREMENT: DOCUMENTATION, APPEALS AND RECENT DEVELOPMENTS	5 DAYS	19 TH – 23 RD FEB	58,500	KSL, KAREN
16.	HRM TOWARDS LEGALLY COMPLIANT EFFECTIVE AND EFFICIENT PERSONNEL PROCEDURES	5 DAYS	26 TH FEB – 1 ST MAR	58,500	KSL, KAREN
17.	ADVANCED NEGOTIATION MASTERCLASS	5 DAYS	4 TH – 8 TH MARCH	58,500	KSL, KAREN
18.	CONSTITUTIONAL COMMISSIONS: LEGAL AND POLICY ISSUES IN GOVERNANCE	5 DAYS	11 TH – 15 TH MARCH	58,500	KSL, KAREN
19.	EFFECTIVE IN-HOUSE PRACTICE	5 DAYS	18 TH – 22 ND MARCH	58,500	KSL, KAREN
20.	PLEA BARGAINING IN THE CRIMINAL JUSTICE PROCESS	2 HRS	22 ND MARCH	3,000	VIRTUAL
21.	STATUTORY INSTRUMENTS AND REGULATORY IMPACT ASSESSMENT; LAW & THE PROCESS	5 DAYS	25 TH – 29 TH MARCH	58,500	KSL, KAREN
22.	INTRODUCTION TO LEGISLATIVE DRAFTING	5 DAYS	15 TH -19 TH APRIL	58,500	KSL, KAREN
23.	PRINCIPLES OF STUDENT LEADERSHIP	3 DAYS	22 ND – 24 TH APRIL	34,800	KSL, KAREN
24.	DATA PROTECTION AND COMPLIANCE: LAW, POLICIES AND COMPLIANCE FRAMEWORKS	5 DAYS	22 ND – 26 TH APRIL	95,000	MOMBASA
25.	CORPORATE GOVERNANCE: LEGAL ISSUES AND THE EMERGING CHALLENGES	5 DAYS	13 TH -17 TH MAY	95,000	NAKURU
26.	REGULATORY FRAMEWORK FOR CYBERSECURITY PRACTICE	2HRS	15 TH MAY	3000	VIRTUAL

27.	LAW FIRM MANAGEMENT MASTERCLASS	3 DAYS	7 TH – 9 TH MAY	30,000	VIRTUAL
28.	ATTAINING SUSTAINABILITY FOR STATE AGENCIES: LEGAL AND STRATEGIC ASPECTS	5 DAYS	20 TH – 24 TH MAY	95,000	NAKURU
29.	CYBERSECURITY: LAW, POLICY AND PRACTICE	3 DAYS	3 RD -5 TH JUNE	34,800	KAREN
30.	INSOLVENCY AND BUSINESS RESTRUCTURING: THE LAW AND PRACTICE	5 DAYS	10 TH – 14 TH JUNE	58,500	KSL, KAREN
31.	AN INTRODUCTION TO ESG FRAMEWORK	5 DAYS	17 TH – 19 TH JUNE	58,500	KSL, KAREN
32.	LEADERSHIP FOR LAWYERS	5 DAYS	24 TH – 28 TH JUNE	58,500	KSL, KAREN

CUSTOMER-TAILORED COURSES

The School also offers courses that are developed at the customer's request, and which meet the peculiar needs of the customer. The fee payable in such courses shall be agreed. Some of such courses are:

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- b) Investigations and Courtroom Skills for Law Enforcement Agencies;
- c) Legal Audit and Compliance;
- d) Public Finance Management;
- e) Human Resource Legal Risk Management;
- f) Data Protection Law and Policy;
- g) Anti-Corruption Strategies and Governance;
- h) Financial and Procurement Management;
- i) Legislative Drafting;
- j) Corporate Communication.

Pre-requisites: There are no prerequisites for attending a course. Prior legal training is an advantage but not a prerequisite.

How to apply: All applicants should register for a course through the online platform <https://services.ksl.ac.ke/web/signup>

Tuition fee: The applicants should confirm their participation with the school, register and pay for the course at least seven (7) days before the commencement of the course. Payment may be made directly to the school's CPD account (**ACCOUNT NO. 202 2029 110 ABSA BANK PLC, ABSA PLAZA BRANCH, NAIROBI, KENYA**) and banking slips or evidence of electronic funds transfer presented to the finance office. The fees quoted are inclusive of all taxes, tuition, lunch, refreshments and conference facilities. Non-east africans pay 25% above the quoted rates.

Accommodation: for courses conducted at the Kenya School of Law, Karen campus, accommodation facilities are available within the Karen campus. Please contact our hospitality department on telephone number 020 2699581/6 ext. 223/311 and note to make early reservations.

Note: please note that for calendar courses, we require a minimum of ten (10) participants (for training at the school) and fifteen (15) participants (for training out of Nairobi) for a course to be confirmed, and where this is not possible, the school reserves the right to reschedule the course to another date, or in exceptional cases, to cancel the course. If a participant has confirmed attendance and has paid, but decides to cancel attendance within 7 days to the date set for training, the school shall deduct from tuition fee cancellation charges of 25%.

CPD points will be awarded to members of the Law Society of Kenya (2 & 3 CPD points for a 2 or 3 days' course, respectively. **Maximum number of CPD points is 3 for any course of duration exceeding 3 days.**

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For course enquiries, please contact Isaac Kuloba (Assistant Director, CPD, P & R), Christine or Jacqueline at the Kenya School of Law, Langata-south road, Karen, p.o box 30369-00100, Nairobi on telephone number 020 2699581/6 ext. 300/301/302/303/312/317. You may also email us at cpd@ksl.ac.ke or visit our website: www.ksl.ac.ke



ISAAC S. KULOBA
FOR DIRECTOR/CHIEF EXECUTIVE OFFICER



Kenya School of Law Celebrates Customer Service Week 2023

By Clementine Akai

Customer Service Week (CSW) is an annual celebration of the importance of customer service and the people who serve and help the customers on a daily basis. The event is celebrated during the first week of October. The Kenya School of Law (KSL) celebrated the event to honour its internal and external customers who support KSL in different ways. The official CSW theme for 2023 was "Team Service". It is a theme with a message that brings all staff together with different skills and different task for the success of KSL. The theme was colourfully illustrated in yellow, blue and orange colours.

CSW 2023 kicked off from 2nd October to 6th October. The Corporate Communication Section (CCS) organized various activities for each day to celebrate their customers. The activities included issuing branded gifts, cake cutting sessions and issuing of flowers. The purpose of these activities was to appreciate the internal and external customers and their support offered to KSL. To kick off CSW this year, the CCS team decorated the Karen Campus and Town campus reception areas with corporate colours, balloons and CSW posters with this year's theme colours. A flyer was sent to all our social media handles which include X (formerly Twitter), Facebook, LinkedIn and Instagram to wish our customers a happy CSW and to thank them for always choosing KSL. The front office team also issued flowers to walk-in customers and also offered sweets and biscuits for every customer throughout the week.



KSL staff donned in African wear celebrate Customer Service Week at the Karen Campus

CSW is an opportunity not only to recognize and appreciate the internal employees but also to honour the external customers. KSL values both her internal and external customers and acknowledges the interdependence of these two groups of customers. During the second day, KSL also expressed gratitude to some of its repeat external customers with a customised signed 'thank you' note card signed off by the KSL Director. This was to appreciate them for their services and amazing contributions they provide to the School.

On the third day, we had cake cutting ceremonies at the Karen and Town campus. KSL Director led the staff and the Advocates Training Programme (ATP) students in a cake cutting ceremony to mark the CSW. On the fourth day, the CCS recognized and rewarded the staff with gifts for their dedication and hard work towards achieving the KSL mandate. The same gifts were also extended to ATP students and Paralegal Training Programme students and external

customers through raffles. The gifts were branded with the KSL logo and CSW message. It was truly an exciting time. Staff, students and external customers had a lot to share and also took photos to mark the event.

The final day for CSW was a dress - down Friday for all staff. The dress code was African wear preferably with KSL corporate colours. It was a colourful event and CCS appreciates all members for participating. The CCS celebrates you and your amazing contributions to KSL towards making it a customer-oriented institution, this being one of the KSL's Core Values.

Clementine Akai is an intern in the Corporate Communications Section at the Kenya School of Law



The Library of the Future

By Agnes Mwai

The way libraries offer services has changed as a result of the growth of digital information. Modern libraries are more than just places to peruse books; they are vibrant places where people create and consume digital content. They are becoming hubs for digital literacy and creativity thanks to the availability of digital resources, internet services, and even collaborative workspaces otherwise referred to as makerspaces.

Libraries are in a strategic position of resilience and transformation. They take on challenges head-on and keep adapting to the shifting requirements of their users by adopting new technologies. They continue to be committed to promoting intellectual freedom and facilitating information access even in the digital age.

An important trend is how libraries function and the services they provide. The introduction of Artificial Intelligence (AI) is revolutionizing libraries by strengthening information retrieval, offering tailored recommendations, streamlining resource management, increasing user experience, facilitating data-driven decision-making, and encouraging cooperation and knowledge exchange. These developments guarantee that, in the digital age, libraries will remain essential for facilitating scholarly research, teaching and learning.

The use of AI in libraries is undergoing a fascinating transformation that is changing how these establishments run and interact with their customers. AI, has the potential to greatly improve library user services. Use of Chatbots for library user support is one of the most popular uses of AI in this field. These AI-driven Chatbots are capable of responding to a broad variety of queries, ranging from straightforward ones about library hours to more intricate ones concerning research and resource availability. They enable librarians to respond quickly, enhancing customer service and freeing up library employees to work on more difficult assignments.

AI is also utilized to deliver user customized recommendations. It can make recommendations for materials that users might find interesting or useful by examining user behavior and preferences. This helps users to discover new resources that they might not have located on their own.

AI is used to transcribe audio materials, enabling those with hearing impairment to access them, thus making library resources available to a larger audience. It can also be used to translate these resources into other languages.

Through predictive analysis, AI offers insightful information which assist librarians to forecast future information demands and preferences by examining user behavior and patterns. This enables libraries to allocate their resources and services more efficiently. AI can for instance, forecast which resources will be in high demand in the future by analyzing borrowing trends. By doing this, libraries are able to manage

their holdings in a better manner and make sure the appropriate resources are available when they're needed. In addition, AI is also able to forecast user behavior trends. It can predict the best times for customers to use internet services or go to the library.

The digitization of libraries is not without its challenges, though. Not every library has the means to set up and manage digital services, especially in the developing countries. Another challenge is the "digital divide," which refers to the possibility that some customers lack access to or the necessary abilities to use digital technologies. By giving its users access to digital materials and training, libraries play a critical role in closing this gap. A certain degree of digital literacy is necessary for the incorporation of AI technologies. This is a major challenge because not all library employees and users know how to use these technologies well. The digital gap encompasses both the availability and proficiency with technology. Thus, it is important to train both library staff and users on AI technologies, which requires enormous time and resource commitment.

A further degree of complication is introduced by the speed at which technology is changing. Libraries have to teach their personnel to stay up to speed with the newest technology breakthroughs and upgrade their systems on a regular basis. Accordingly, library users must continually be trained on how to access the digital resources. Hence, access to facilities like electronics resource centers are necessary to empower users in developing countries.



Prof. Jack Mwimali, National Council for Law Reporting CEO (second left) and Dr. Henry K. Mutai, KSL Director (second right), flanked by the KSL Principal Librarian (right) during the signing of the MOU between the two institutions.

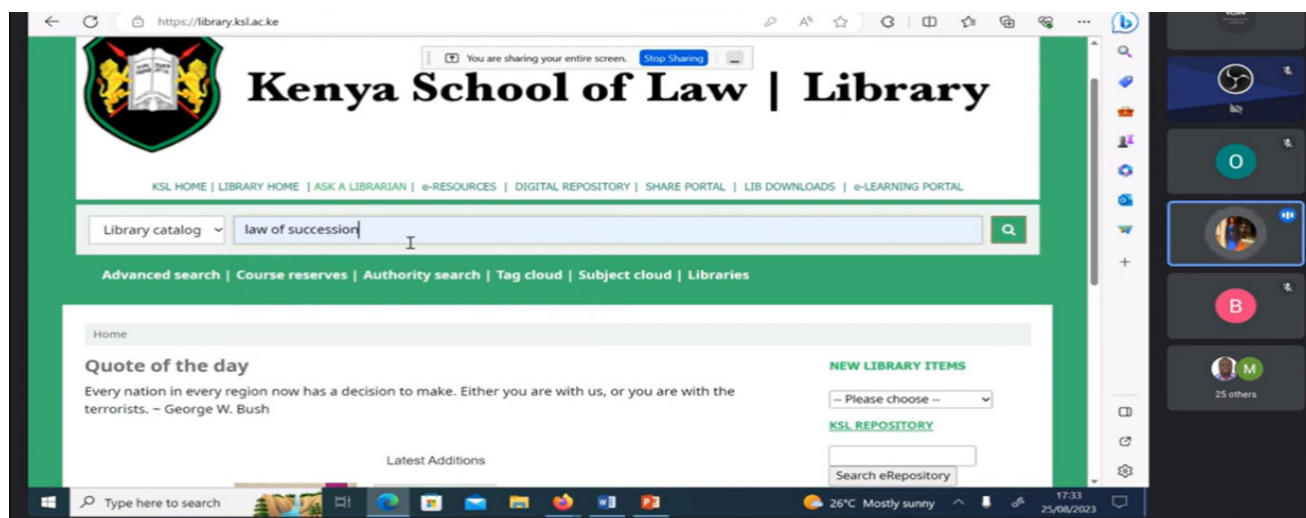
Introduction of AI technology into libraries has raised serious ethical and privacy issues. AI systems work well with massive volumes of data. This raises concerns with user privacy and data security since the data may contain sensitive information about readers' reading

preferences and the content they have accessed

In conclusion, libraries could undergo a dramatic transformation thanks to AI, which could make them more effective, user-friendly, and data-driven. Looking ahead, it seems

obvious that AI will become a more significant part of how libraries run and serve their users.

Agnes Mwai is the Principal Librarian at the Kenya School of Law



Information Literacy And Competency Training for KSL students



Adapting to Gen Z in the Hospitality Industry

By Linnett Odawo

As popularly known, Generation Z or Gen Z, is a group of people who were born between the late 1990s and early 2010s. A diverse group that grew up in a rapidly changing environment shaped by social media, technology, and an increased awareness of social issues. They are also renowned for having distinct tastes in their request for hospitality services, as well as for being more tech-savvy and socially conscious. Most of them prefer experiences that are unique, cost-effective, socially responsible and seamlessly integrated with digital lifestyles.

Compared to earlier generations, Gen Z have distinct priorities and preferences when it comes to hospitality services. They are authentic and look for one-of-a-kind and unforgettable experiences. They like to stay in reasonably priced, well-reviewed hotels, take advantage of outdoor activities such as hiking, appreciate the local cuisine and customs, and above all have access to the internet. In order for the hospitality industry to thrive and create a good experience for Gen Z, they therefore need the following;

1.Strong Online Presence

The younger generation, who are digital natives, mainly use the internet to plan and reserve their trip plans. A solid web presence is essential to drawing

Gen Z to your facilities. A website, social media accounts, and listings on travel websites improve your exposure and standing. Gen Z are more likely to be drawn to hotels with a strong online presence that interact with searchers on websites, travel blogs, and social media platforms.

2.Reviews

Don't ever underestimate the power of online reviews as it has a great impact on the decision-making of searchers. Obviously, anyone would like to book a hotel or visit a restaurant that has positive online reviews and ratings from experienced guests.

The old ways of making reservations for a stay are no more. Gen Z are digital natives, compared to traditional modes of advertising, they are more likely to believe recommendations from other customers on social media and in online reviews. The hospitality facilities have to make sure that their website, social media accounts, and other company listing platforms contain ratings and reviews, as over 95% of Gen Z customers check online before making arrangements.

3.Technology-aided Property and Workation

Gen Z are more likely to do all other work on their smartphones and other devices. Thus, they are more likely to choose hotels with fast, dependable WiFi, smart key technology, and the ability to take online orders and payments. This youthful generation prefers to be productive every day rather than being restricted to a certain workspace or timetable. Flexibility and work-life balance are important to them. More people are opting to work and travel concurrently

as remote working opportunities increase. The flexibility of working from any location and seeing different cultures draws in digital nomads.

What hospitality facilities can do is therefore to offer cozy, designated workspaces inside the hotel as well as dependable, fast internet access throughout the premises. Furthermore, they should highlight various extras like outdoor areas, spas, pools, and fitness centers as ways for visitors to unwind and rejuvenate after work.

4.Brand-building on Social Media

Since Gen Z is the first generation to have lived exclusively in the digital era, social media has a significant influence and connection to them. They frequently rely on it as their main source of knowledge and inspiration when planning trips. They use it to communicate, get information, have fun, and even plan their travels. Therefore, to reach and draw in this key traveler generation, hotels must have a strong social media presence and active participation.

We all enjoy sharing our experiences on social media, don't you think? Hospitality facilities can therefore, design some picture-worthy areas of the establishment that guests will want to tell their friends and followers about who might as well want to create more content. Anything that appeals to the eye grabs our attention more. It will therefore always be advantageous to tell your brand's narrative in a video and post it on social media. A hospitality facility may make a video tour that highlights the hotel's distinctive qualities and highlights its history,



gorgeous architecture, tasteful decor, contemporary amenities, and classic attractions.

5.Flexible Timings and Cost-effective Meals

Due to their hectic schedules and unique lifestyles, Gen Z frequently have to travel during odd hours or across time zones, necessitating early or late breakfast times. As a result, they could find that traditional mealtimes are uncomfortable. They could like inexpensive dinner options that highlight regional specialties or popular culture. In order to make a good impression, hotels can give their customers a more tailored and convenient experience by providing flexible dining alternatives.

6.Customized Recommendations

Imagine spending a week in South Korea on a trip, and despite this, you didn't sample the renowned ramen or purchase any K-skincare

goods. Therefore, hospitality facilities should enhance the guest experience and foster trust by recommending local eateries, events and destinations while they are staying at the facility.

It's well known that Gen Z value distinctive, genuine experiences that capture the local way of life and food. Therefore, it demonstrates sincere concern for guests' tastes and interests when you suggest such locations or activities to them. They are positively impacted by this and are inspired to tell others about their experience. Additionally, suggesting specific restaurants or foods can also help to increase revenue for hotels. Meaning, you can partner with local restaurants or tour agencies to offer exclusive discounts to your guests.

7.Sustainability and Social Responsibility

This generation is really concerned about the future and the environment. In fact, much more than the previous generations. They are more exposed because of social media, education and the internet. Polls have shown that Gen Z are most concerned about

climate change and global warming. They value eco-friendly facilities and other green tourism activities because they care about the environment.

Conclusion

In summary, the hospitality sector needs to evolve in order to draw in G Z, as they have quickly overtaken other consumer groups as the world's largest. If you want to stay competitive and draw in Gen Z clients, it's critical to comprehend their tastes. Creating memorable experiences and making use of social media are only two of the many ways to draw in this generation and establish enduring connections. A wonderful stay for guests and a devoted clientele for your facilities can be achieved by adopting Gen Z's preferences and modifying your marketing tactics accordingly.

Linnett Odawo is the Senior Hospitality Officer at the Kenya School of Law



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Kenya School of Law Term 2 Sports and Games

By Leonard Okoth



Sports and Games play a significant role in the life of students. This is not an exception at the Kenya School of Law (KSL) where the academic program is considered to be tough but the students engage in games as a way of enhancing their IQ, concentration, decision making and focus among others. The term two sports day was held at Catholic University of Eastern Africa and KSL Karen Campus on 16th September, 2023



Participants during a football tournament at the Karen campus.

The Students take part in term two sports events which is purely indoor games. The aim is to represent all interests without exception including physically challenged persons. The purpose of Term Two Sports Day is to enable those who did not take part in term one team sports find a chance to network and have fun including physically challenged while embracing the digital life.

Term two sports activities are organized when the students have started feeling the exhaustion of the School work load to relieve their stress and enhance concentration. It plays a big role in their lives by stimulating their mind by playing games like chess which needs total concentration. These games bring together the Main and Town Campuses.

September, 2023 was fun filled for students ranging from cultural

week, sports and culminated in prison visit being an academic function. The student who did not attend any of the three events will live to regret.

Sports activities included;

1. Chess - This is the game that builds strong minds and the individuals' sportsmanship. While playing chess one learns to accept defeat and move on. It also creates a strong base to embrace hard work values with logical and critical thinking when handling life related matters.

2. Scrabble - when playing scrabble, one has to employ tactics and strategy. In this game, participants have to master vocabularies which is vital in students' drafting work. It also involves creative thinking as you plan to fit words in the existing space with an aim of high score spreads.

Successful guys in this digital life are those who think wide and strategize their future.

3. Badminton - this is the game of racquets and a cork with a net dividing the two halves. While playing the game, the language of singles and doubles is very loud here! Those playing badminton reduce their stress level and will end up enjoying their sleep. In this present economy, how do you make your body release endorphins? Try badminton and you will have the answers at your fingertips!

4. Table Tennis - in this game, you should have a table, a bat, net and at least 3 table tennis balls. Fitness is the reason of enjoying the game and table tennis will make one as fit as a fiddle. The game also makes one gain speed and stamina which is vital for every athlete. In order to combine physical and mental health gain at a go, start playing table tennis and you will never regret in this digital era.



Participants during the 400 metres relay race held at the Karen Campus

5.Darts – an individual playing darts is more relaxed as the game promotes relaxation. This is a game which is even more common in pubs where the ‘wazee wa kazi’ cool off after a tough day’s work. In order to start the game, players toss to know who plays first, second, third and maintain the order. In this game players choose to play a game ranging from 301, 501 etc. which is in a reducing balance using 3 darts per session. Bulls – eye is the language you will not miss to hear in a darts game and it is in the middle of the board. When one hits the bulls –eye, the celebration matches Yanga FC playing against Simba FC.

6.Lawn Tennis – The game promotes fun while playing and plays a role in full body work out. It shapes the body thus termed ‘stress reliever’. Frequent tennis players’ metabolic function is admirable. The Doctors will recommend you to play the game for a healthy lifestyle.

The Advocates Training Program students had just concluded the project work and oral examinations, they therefore needed some sporting events to soothe their minds. Lawn tennis and extra table tennis games were played at CUEA. Class A emerged winner, Class B 2nd position

and Paralegal Training Program was third overall. As the saying goes ‘no, sweat, no gain’ the awarding ceremony was organized to appreciate the winners as per event category.

The Sports committee also hosted the inaugural Alumni tournament in October,2023 whose objective was to connect former students of the Kenya School of Law.

Leonard Okoth is a Sports Assistant and Secretary of the Sports Committee at the Kenya School of Law



One of the football teams during the KSL 2023 sports event



STUDENTS CORNER

Critical Perspectives on the Future of International Criminal Law Justice

By Michael Otieno

There is continuing scholarship on the future of International Criminal Justice System (ICJS) globally. Further, there is a focus towards internationalisation of litigation processes involving international crimes under the Rome Statute and the need for complementarity and goodwill by party States. Carsten Stahn in *'The Future of Criminal International Justice'* propounded that international justice today is in a stage of transition. While he feels that internationalisation of national courts is here to stay, scholars like Slaughter and Burke opine that ICJS is entirely becoming domestic.



International adjudication can be traced from the Treaty of Versailles, through Nuremburg, the remarkable success stories of ICJS, to the onset of the 21st Century. The hope of positive internationalism, democratisation and decolonisation was rife in the 1990s. However, the reverse process later meted realities that dampened expectations that reigned then. This article discusses the nature, challenges and prospects of international criminal justice system and concludes with key recommendations.

Challenges of Multilateralism in the ICJS

The entrenched multilateralism in international criminal justice has faced criticism, posing concerns

about the future of litigating international crimes under the Rome Statute. So far, few number of cases have been disposed, with claims that certain verdicts don't offer just deserts for the offences. Where adjudication proceeds, some cases have been withdrawn on Nolle Prosequi grounds or for want of evidentiary proof.

There have been protracted proceedings generally and negative outcomes as witnessed in the Islamic Republic of Afghanistan decision 2019. The Pre-trial chamber denied the Office of the Prosecutor's request to initiate proceedings under article 15 of the Rome statute after long periods of investigations, on the ground

that the precaution would not be in the interest of justice for lack of evidence.

The ICJS then faces the challenge of differential legal frameworks. For example, the national laws on refugee status determination downplays rights of persons indicted abroad. The standard of proof for exclusion from protection of persons charged with core crimes under article 1 (F) of the Refugee Convention, 1951 is lower than that of international criminal law threshold. This means that the acquitted or sentenced persons after serving their terms may not be accepted or protected, hence denied freedoms of movement, labour and liberties.

Prospects for the Future of ICJS

There are key steps tenable to rescue the future of the international criminal justice system. Firstly, is through the responsibility to protect principle. The permanent members of the United Nations should give deference and accede to the Rome statute so as to strengthen the ICC and give it more legitimacy and erase the perceived hypocrisy of these nations that have hitherto not signed to the Rome statute. According to Stahn, international courts can address the domestic challenges and ensure internationalization of ICJS in local courts, by focusing on results and interests of the victims, without relying only on deterrence measures

The International Criminal Court has the prospects in complementary mechanisms, beyond ICC trials and Ad Hoc Tribunals. A gradual transition to enable residual mechanisms, as witnessed in Rwanda, Syria, Liberia, Tunisia, and Nepal can enable transitions to peace and sustainable democratic rule. In Cambodia for example, this approach yielded much gains

despite autocratic regime and challenges to democratic space.

The international and national institutions responsible for international crimes should be innovative and adopt technology and build capacity amongst party states. This ensures judges and judicial officers appear in courts when and where needed and also provides a central system of evidence records for the future. The gains of this in-call system has been achieved in Kosovo Specialist Chambers

The discipline of international law in institutions can be entrenched and boosted through collaboration and exchange programs that impart knowledge. Since law is in the flux elements of core and other crimes need further interrogation to address the lack of socio-legal concepts such as reconciliation, restoration and alternative justice systems.

Conclusion

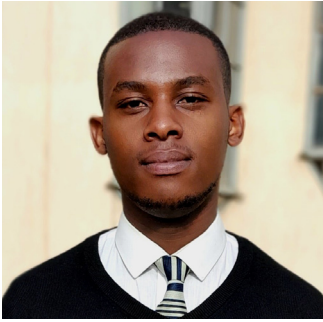
The article has critically analyzed the present challenges and future of International Criminal Law Justice System. Litigating international crimes does not only need multilateralism as a proposition, but

also legal and institutional reforms, comity of states, responsibility-to-protect principle to operationalize it. Where universality jurisdiction apply, then mutual and positive complementarity and goodwill is necessary. Addressing differential legal gaps between municipal laws will open the opportunities available to address international criminal justice system of the future.

The states and international criminal law institutions should also relook into the Rome Statute and operative structures, qualify the restrictions and limitations and expand culpability not only to individuals but also to states and corporations that if deemed liable, to take responsibility. Finally, there is need to entrench trainings in International Criminal Law in the curricula of institutions of higher learning.

Michael Otieno is a student in the Advocates Training Programme





The Future of AI Law: A Case Study of Parker vs Forsyth

By Bernard Nyaga



The development of Artificial Intelligence (AI) has had profound impacts on the legal profession. This has necessitated the need for a paradigm shift from hostility to approval. Such technological advancements have placed the law profession at risk of automation. Instead, embracing AI through inventions, regulations, awareness, conferences, publications, and creation of relevant institutions, will not only advance the law profession but also ease the cost of doing business.

On the one hand, the proponents make an assertion that AI will fully automate the legal profession and extinguish the need for human lawyer. For instance, a study titled '*How will Language Modelers like ChatGPT Affect Occupations and Industries?* (2023)' reveals that Chat Generative Pre-trained Transformer (ChatGPT) can simplify large volumes of legal work by making deductions, analysis and generation of legal documents instantly.

It finds that the legal services industry which includes arbitrators, judicial officers, advocates and magistrates is the most exposed owing to heavy lifting and language modelling capabilities of AI. While, on the other hand, opponents believe that human to human contact between the advocate and the client is the mainstream channel to the right of access to justice due to factors such as emotions, confidentiality,

empathy, accountability and professionalism.

On 26th March 2023, Goldman Sachs published a separate finding on the overall effect of AI on the legal profession in relation to economic growth. It estimated that two-thirds of the current jobs in the legal sector are exposed to a degree of AI automation. Further to that, one-fourth of the current legal work can be substituted by generative AI. Conversely, it also found out that automation of work has always been offset by emergence of new specialties.

On 29th June 2023, the South African Regional Court in *Michelle Parker vs Amanda Forsyth N.O.* (2020) faulted the plaintiff's advocates for using ChatGPT to conduct legal research and accept its fictitious authorities without satisfying their accuracy. In Paragraph 89, the judge stated that;

"It seems to the court that they placed undue faith in the veracity of the

legal research generated by artificial intelligence and lazily omitted to verify the research."

It follows from the court holding that the efficiency of emerging technologies in 'legal research need to be infused with a dose of good-old fashioned independent reading'. The advocate, as an officer of the court under Section 55 of the Kenyan Advocates Act, has a duty to raise novel legal matters and not merely repeat in parrot-fashion the unverified research of a chatbot.'

The human lawyer has an inherent supervisory duty to undertake checks, verify information provided on AI chatbots and assess the validity of any legal document before being presented to the client or filed in court. However, this duty must be entrenched in law and accompanied by a new scale of remuneration due to the evolution of technology in the legal service industry.

There are immense opportunities in AI litigation and decision making. This is demonstrated by the *United States case of Moore vs Publicis Groupe* where the court recognized that AI has various tools such as predictive coding that can accelerate the process of discovery in proceedings.

The application of AI in the legal profession will present an opportunity for the traditional lawyer to interrogate compliance with the intellectual property rights such as copyrights and patents. In 2021, South Africa granted a patent to an AI system called DABUS following its invention of a food container and a flashing light upon the application of Stephen Thaler.

Other notable benefits on inculcating AI into the law profession includes; cost-effectiveness, high productivity,

complex legal research, case management strategies, production of initial drafts, a one-stop search engine for legal precedents and information. It also has the ability to attract talent and retain the best minds in the profession, contract review, preparation of trials, arguments and rebuttals, prediction of outcomes in litigation as well as exploration of legal concepts.

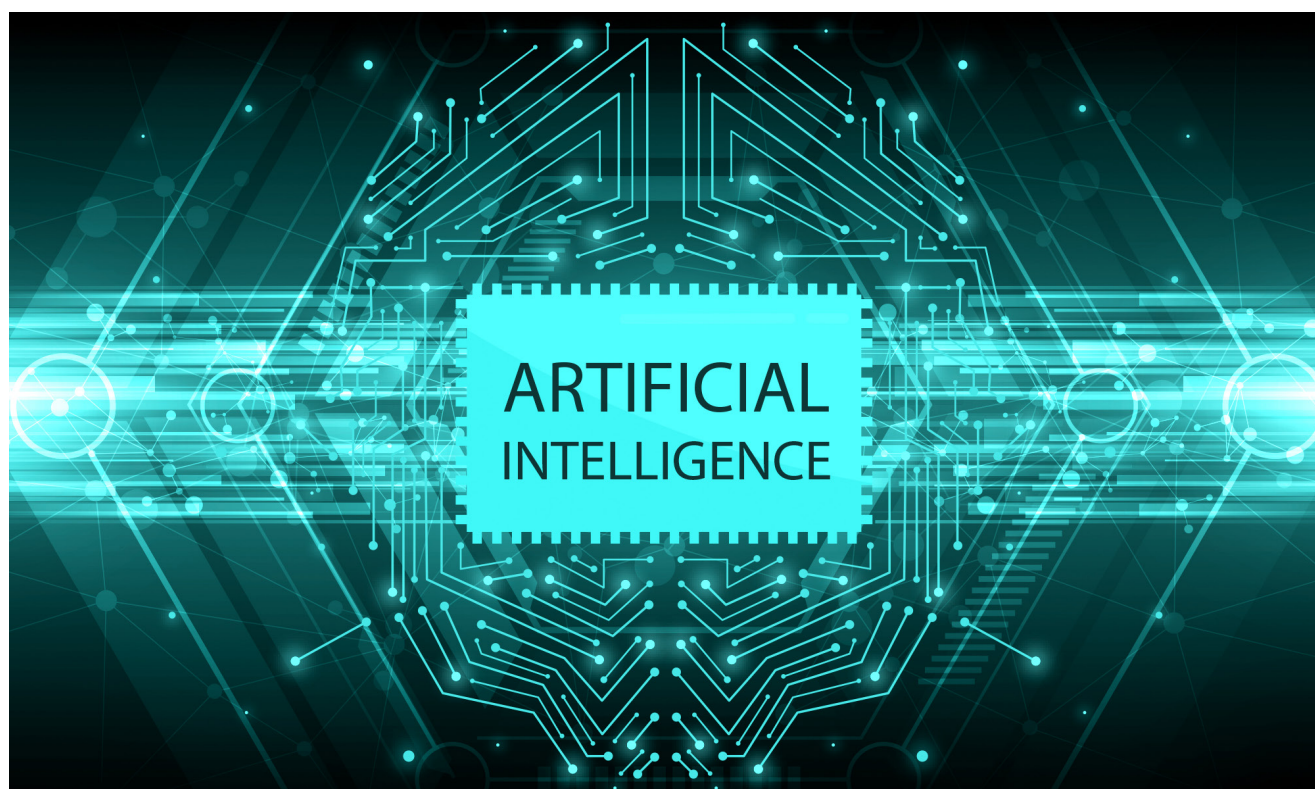
Whereas AI assures high affinity for the success of the modern lawyer, there are challenges affecting its uptake. They include glaring inaccurate results, misinformation, cyber-attacks, confidentiality, biased output, lack of accountability and the likelihood of filing frivolous or vexatious claims which leads to backlog and wastage of judicial resources.

The human element in the legal profession remains the cornerstone of access to justice. The mortal lawyer

reserves certain privileges such as admission to the bar, management of a law practice, and oversight or regulatory function of the profession as a whole. Thus, there is need for regulation to provide for the use of AI as a complement to the human advocacy skills.

Further, legal training should constantly be reviewed to ensure that the current generation is equipped with the relevant AI skills. This should include relevant research and writing skills, knowledge of appropriate AI systems for each task, and how to verify results. The knowledge should also expound on queries, new legal specialties, compliance, cybersecurity, ethical AI, and litigation support.

Bernard Nyaga is a student in the Advocates Training Program





Embracing the new Generation of Advocates

By Victor Munyinyi

The legal profession has long been characterized by tradition, precedent, and a certain resistance to change. However, in the 21st century, the legal profession is undergoing a profound transformation, driven in large part by the emergence of a new generation of lawyers. These young lawyers, often referred to as millennials and Generation Z, are entering the legal profession with a fresh perspective and a host of innovative ideas. In this article, I will explore the prospects and opportunities that arise from embracing this new generation of advocates

First and foremost, it is essential to recognize the unique qualities and attributes that the new generation of lawyers brings to the table. Millennials and Generation Z lawyers are digital natives, growing up in a world where technology is seamlessly integrated into daily life. They are adept at using the latest digital tools and platforms, which can significantly enhance the efficiency and effectiveness of legal practice. This tech-savvy generation is well-equipped to harness the power of artificial intelligence, machine learning, and big data analytics to streamline legal research, document review, and other time-consuming tasks. By embracing these technologies, law firms and legal departments can reduce costs and provide better services to clients.

Moreover, the new generation of lawyers is characterized by a strong commitment to social justice and a desire to make a positive impact on society. They are more likely to prioritize pro bono work, diversity and inclusion initiatives and

environmental sustainability. This commitment to social responsibility aligns with the growing expectations of clients and the broader community, who increasingly seek legal services from organizations that are socially and environmentally conscious. By embracing these values, law firms and legal professionals can enhance their reputation and attract clients who share their commitment to making the world a better place.

Another significant opportunity presented by the new generation of lawyers is their global perspective. With advancements in technology, the legal profession is becoming increasingly globalized. Cross-border transactions and international legal issues are now commonplace, requiring lawyers to have a deep understanding of different legal systems and cultures. Millennials and Generation Z lawyers often have a more cosmopolitan outlook, having grown up in a world where information and communication transcend geographical boundaries. They are more likely to have international experiences, whether through travel, study abroad or working with diverse teams. This global perspective can be a valuable asset in serving clients with international interests and navigating the complexities of the global legal landscape.

Furthermore, the new generation of lawyers brings a fresh approach to the practice of law. They are more inclined to challenge traditional hierarchies and embrace collaborative, team-based approaches to problem-solving. This shift in mindset can foster a more inclusive and innovative legal profession. It can also lead to greater diversity in leadership roles, as younger lawyers are more likely to advocate for diversity and equal opportunities within their organizations. Embracing this new approach can enhance creativity and adaptability within the legal profession, allowing it to better address the evolving needs of clients and society.

In addition, the new generation of lawyers is acutely aware of the importance of work-life balance and mental health. Burnout and stress have long been prevalent issues in the legal profession, but younger lawyers are more vocal in advocating for a healthier work environment. They prioritize well-being and seek employers who offer flexible work arrangements, mindfulness programs and other initiatives that promote mental and physical health. Embracing these concerns can lead to a more motivated and satisfied legal workforce, ultimately benefiting both lawyers and their clients.

To fully embrace the new generation of lawyers and capitalize on the prospects and opportunities they bring, the legal profession must be willing to adapt and evolve. This may involve reevaluating traditional practices, investing in technology and training, promoting diversity and inclusion, fostering a collaborative culture, and prioritizing the well-being of legal professionals. Law firms, legal departments, and bar associations must actively engage with young lawyers, seek their input, and create an environment that encourages their growth and development.

In conclusion, the new generation of lawyers represents a promising and dynamic force within the legal profession. Their digital literacy, commitment to social responsibility, global perspective, innovative mindset, entrepreneurial spirit and emphasis on well-being offer numerous prospects and opportunities for the legal field. Embracing these qualities can lead to a more vibrant, adaptable, and client-focused legal profession that is better equipped to meet the challenges and opportunities of the 21st century. By recognizing and harnessing the potential of the new generation of advocates, the legal profession can thrive and continue to serve the needs of society effectively.

Victor Munyinyi is a student in the Advocates Training Programmes



The Digital Divide in Legal Practice: Bridging the Generational Gap

Brian Masakwa

Keith Evans concludes in his renowned book, *The Golden Rules of Trial Advocacy*, with the remarks that, ...*"the last cycle of the legal profession involves the accomplished members of the bar training the upcoming generation their ingrained habits of success."*

Indeed, training is an essential part of the legal profession. The ability to leverage technology has become an integral part of the practice in today's rapidly evolving legal landscape. However, the legal profession is experiencing a significant generational gap when it comes to tech-savviness. This article explores the challenges arising from this digital divide and offers insights into how to bridge it, making way for a more technologically adept generation of lawyers.

The Changing Landscape of Legal Practice

The legal profession has undergone a remarkable transformation with the proliferation of technology. The integration of technology into various facets of the profession has made many tasks easier. Technology has infiltrated every facet of legal practice ranging from legal research to document management. The ability to adapt to and effectively use these tools has become crucial for success.

This transformation has however, been encumbered by a substantial

generational gap. Majority of the experts in the legal profession are not fully adept with most emerging technologies.

Challenges of the Digital Divide

Resistance to Change: Senior lawyers, who were trained in an era before the digital revolution, often resist incorporating technology into their practice. One of the primary reasons senior lawyers resist adopting technology is their deeply ingrained and well-honed workflows and practices. These lawyers have developed methods that work for them, and they may perceive the integration of technology as a threat to their efficiency or a disruption of their established routines. Technology can be intimidating for those who did not grow up with it. New tech tools may not readily accommodate their established workflows and practices.

Generation Gap: Younger lawyers, often part of the millennial or Generation Z demographics, have grown up in an era characterized by rapid technological advancements. They are digital natives, which means they have been exposed to technology and digital devices from an early age. As a result, they tend to have an innate understanding of technology and a high degree of digital fluency when they enter the profession. Digital fluency refers to the ability to navigate, use, and adapt to various digital technologies effectively and comfortably.

Adoption: Incorporating legal tech tools and software can be expensive. This cost can be a significant barrier for small or solo law practices. Senior

lawyers may resist the financial investment in technology if they do not see a clear return on investment or immediate benefits. **Ethical and Regulatory Challenges:** The legal industry is highly regulated, and adopting new technology may raise ethical and regulatory concerns.

Lawyers must ensure that they remain in compliance with professional responsibility rules when using technology in their practice. **Variance in Technology Literacy:** Not all younger lawyers are equally tech-savvy, and not all senior lawyers are technologically averse. There is a wide spectrum of technology literacy within the profession. This variance can lead to uneven adoption and proficiency levels.

The Role of Mentoring in Nurturing Tech-Savvy Lawyers

To bridge this generational gap, firms are increasingly emphasizing mentoring relationships between experienced and junior lawyers. Inter-generational mentoring programs are gaining popularity. Seasoned lawyers are well-positioned to impart wisdom and experience while junior lawyers can offer fresh insights into technological innovations.

Benefits of Inter-generational Mentoring

Mentoring programs that pair tech-savvy younger lawyers with their more experienced counterparts can yield several benefits:

Knowledge Transfer: Seasoned lawyers can learn about new technologies, while junior lawyers can gain invaluable legal insights.

Improved Client Service: Combined knowledge and tech skills result in better client service, providing a competitive edge.

Cultural Cohesion: Such programs foster a sense of unity within the

firm by addressing the generational gap.

Conclusion

The digital divide in the legal profession is real, but it is not insurmountable. The Law Society of Kenya has responded to the growing technological wave by including relevant tech related programs in the Continuous Professional Development Program.

By recognizing the challenges and taking proactive steps to bridge the generational gap through mentoring and collaborative learning, law firms can prepare the next generation of lawyers to excel in a tech-driven world. Ultimately, embracing technology is not just about staying competitive but also ensuring the delivery of top-notch legal services.

Brian Masakwa is a student in the Advocates Training Programme





Legal Training in Kenya: Kenya School of Law Embracing the New Generation

By Elaine Kihungi

As the requirements and prospects of the new generation of scholars and legal professionals evolve, legal education in Kenya is undergoing a profound transformation. The Kenya School of Law (KSL) stands at the forefront of reshaping legal training in the country. In this article, we will delve into the prospects and challenges within the sphere of legal education in Kenya, with a particular focus on KSL's endeavors to adapt to this ever-evolving landscape.

The changing landscape of legal education

Traditionally, Kenyan legal education has been anchored in physical learning and rigorous classroom settings. However, today's law students exhibit a distinct profile. They are tech-savvy, socially conscious, and intricately connected to the globalized world. They demand an education that not only upholds academic rigour but also offers practical relevance to contemporary legal challenges. Simultaneously, the legal profession itself has undergone significant transformation, with an increasing demand for lawyers who can adeptly navigate the intricacies of the digital age, tackle



Senior Lecturer, Christine Kungu giving a presentation during an ATP hybrid Mentorship Training

emerging legal issues, and passionately advocate for social justice causes.

digital approach to legal education not only instills essential digital competencies but also broadens the accessibility of legal knowledge.

Opportunities for innovation

The evolving legal landscape in Kenya presents an array of exciting opportunities for innovation. KSL recognizes the imperative for a more dynamic approach to legal training, one that adequately equips students for the practical demands of the real world. Here are several strategies that underscore KSL's commitment to change:

1. Technology integration

KSL has embarked on an active integration of technology into its curriculum, ensuring that scholars have access to online legal research tools and e-learning platforms. This

2. Practical skills development

The institution places a significant emphasis on fostering practical skills development. KSL achieves this by offering internships, clerkships, and moot court competitions, thereby bridging the divide between theory and practice and enhancing graduates' employability.

3. Interdisciplinary approach

Acknowledging that legal challenges frequently intersect with other academic disciplines, KSL actively promotes an interdisciplinary approach to legal education.

This collaborative approach fosters synergies between different faculties and nurtures a more holistic comprehension of the law.

4. Legal ethics and social justice

KSL has incorporated specialized courses in professional ethics into its curriculum. This ensures that graduates not only possess a profound understanding of the law but also emerge as ethical advocates committed to justice and equality.

5. Flexibility and lifelong learning

KSL caters to the evolving needs of legal professionals by offering flexible study options that facilitate further specialization. These include comprehensive continuing legal education programs and short courses, such as mediation and arbitration.

Addressing concerns

While KSL wholeheartedly embraces these opportunities, it should remain cognizant of several pertinent challenges as follows:

1. KSL should take proactive steps to provide practical

experience opportunities for students who join without prior interaction with legal practice, especially focusing on subjects like legal drafting. This can be achieved by implementing internships and providing practical training opportunities during the first term of the academic year.

2. In collaboration with the Council of Legal Education (CLE), the Kenya Universities and Colleges Central Placement Service (KUCCPS), and the Commission for University Education (CUE), KSL should work towards standardizing admission requirements for law programs. This will ensure equal access to legal education and progression across universities in Kenya.

3. KSL should actively collaborate with CLE to align its curriculum with modern legal practice therefore bridging the gap between academic theory and legal practice.

4. Recognizing the significance of emerging fields such as cyber law and data security, KSL should consider integrating these areas into its curriculum to equip lawyers with the skills needed for the digital era.

5. KSL should support the establishment of fair compensation standards for pupils during pupillage.

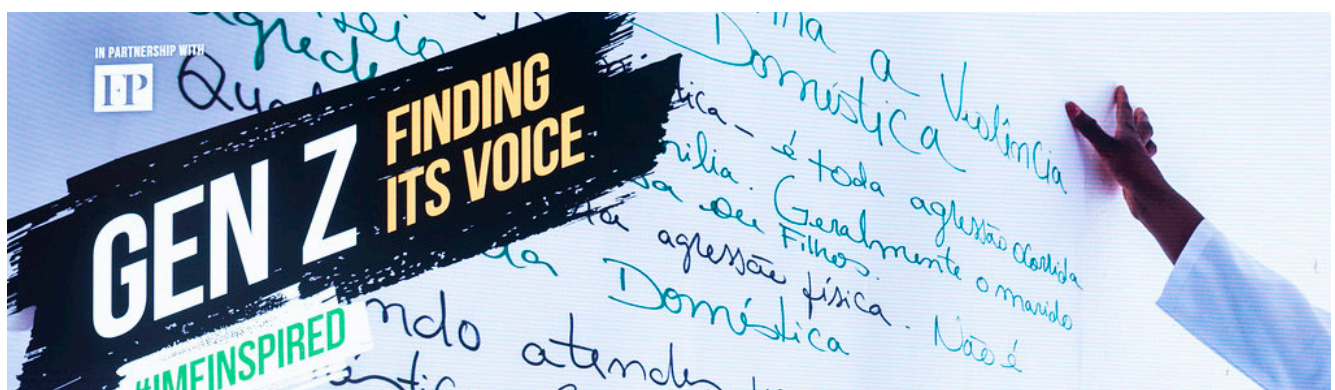
Acknowledging the valuable skills and responsibilities they bring to the legal profession, fair compensation should be a priority.

Conclusion

The prospects and challenges in legal training in Kenya are undoubtedly promising. KSL's unwavering commitment to innovation ensures that the new generation of lawyers is well-prepared to meet the demands of the legal profession and contribute meaningfully to the advancement of justice. By fostering collaborative efforts among all stakeholders, we can shape a legal education system that empowers the new generation to excel, thereby facilitating positive change within our society.

The legal education in Kenya is in the midst of a significant transformation. While challenges exist, the opportunities for innovation and adaptation are abundant. Through concerted efforts, from the broader legal community, we can cultivate a legal education system that effectively caters to the requirements of the new generation of legal professionals, ultimately benefiting society as a whole.

Elaine Kihungi is a student in the Advocates Training Programme





Cross-Generational Mentorship: Bridging the Gap for Gen Z Lawyers

By Donna Atieno

The rise of Generation Z lawyers in Kenya's rapidly changing legal landscape is a tribute to the profession's commitment to upholding justice while adapting to the changing times. There's a rising demand for new ideas and techniques as the legal sector adjusts to the digital age and customers' shifting expectations. Cross-generational mentoring between established advocates and up-and-coming members has become increasingly important. This mentoring relationship is more than just a passing trend, it is a driving factor in developing the legal profession in the country. Success in the legal career is habitually seen to rest in the hands of more seasoned advocates due to their superior knowledge and expertise. However, digital natives of Generation Z pose new challenges to the established legal order because of their distinct abilities and worldviews. This generation is well-versed in modern technology, concerned with pressing social issues, and committed to making a difference in the world. Their enthusiasm, however, stresses instruction, the dissemination of information and the cultivation of talent.

The gap can be addressed via cross-generational mentoring to provide an active forum for sharing legal knowledge and experience across generations.

Mentoring is a mutually beneficial relationship for both parties therein. Mentors, who tend to be seasoned veterans of the legal profession, can provide invaluable experience, concepts, and perspectives gained throughout their careers. On the other hand, young lawyers from Generation Z are full of enthusiasm, new perspectives, and an in-depth knowledge of today's rapidly developing technological scene. Indeed, the true power of mentoring lies in sharing knowledge and ideas between mentor and mentee. Mentoring isn't simply about veterans teaching their junior colleagues what they've learned. The two groups can learn great concepts from each other. Young lawyers from Generation Z can share knowledge of the legal industry's rapid evolution, new technologies, and digital strategies. This symbiotic relationship between teaching and learning will pump life and prosperity into the community.

Mentorship is not just a one-way street where senior lawyers dispense their knowledge to their younger counterparts. Their guidance on how to deal with ethical challenges and complex cases can be instrumental. Gen Z lawyers also have a robust understanding of social justice matters and a stronger drive to make a difference. Mentorship programs combine these views, leading to well-rounded and ethical professionals. Mentors can serve as legal advisors and individuals the current generation looks up to, confide in, and draw motivation from. These bonds strengthen the legal community by connecting its members outside the office. The mutual relationships provide emotional and professional support networks to both parties.

Mentorship programs significantly aid the retention of youthful talent in the legal industry. Just like any other field, Generation Z lawyers are faced with cases of burnout, stress, and the urge to leave the legal field. They will likely have the strength to meet the legal field's challenges through their seniors' support. Mentorship can aid in retaining brilliant individuals who might otherwise leave the industry by providing them with a feeling of purpose. The legal field is also seeing a generational shift in its embrace of technology. Young lawyers have a solid grasp of legal tech, data analytics and artificial intelligence. They offer a new take on improving legal workflows and serving clients more effectively. Young lawyers are essential in the current market, where most clients want quicker, cheaper and tech-driven legal solutions.

Inter-generational mentoring is a driving force in Kenya's continuing legal sector reform. It provides a dynamic setting for the teaching and learning that will produce tomorrow's legal professionals. Mentoring fosters growth in both parties and helps the legal profession because of the momentum it generates. As members of Generation Z enter the legal profession, they must have access to mentors who can help them bridge the generational divide and capitalize on the skills of all generations. It's not only about teaching people new things; we want to help shape a better future for Kenya's legal community.

The Kenyan legal system has undergone significant shifts in response to the evolving demands and norms of the country's population. There are new hitches and opportunities in the legal profession today because of the rapid pace at which the world is changing due to technological developments, globalization and shifting societal standards. In this dynamic field, lawyers from the millennial generation are

rising to prominence as leaders who bring new ideas, ways of thinking and a deep dedication to social justice.

Advocates from older generations can offer counsel, wisdom and perspective to Gen Z colleagues. The sharing of expertise is a vital feature of any mentoring relationship. Mentorship fills the gap between the theoretical legal principles taught in law schools and the practical knowledge and

experience young lawyers gain in the real world. Mentors are an excellent resource for learning about the nuances of the law, trial strategy and negotiation techniques.

Donna Atieno is a student in the Advocates Training Program





The Impact Of Virtual Court Sessions on Young Lawyers In Kenya

Benson Otieno

The legal profession is not a trade. What exactly do lawyers offer, and how do they sustain their livelihoods? Yet, why do some lawyers ascend to greater heights of success compared to their peers? While the concept of success may vary from person to person, at its core, it revolves around the ability to make a sustainable livelihood or honour from one's labour. So, what distinguishes highly successful lawyers from the rest? The answers to these questions are discernible. Lawyers essentially sell their names, their reputation and expertise. Furthermore, they trade in time, where the worth of that time is closely linked to the weight of their name in the legal field. But where is the marketplace?

Traditionally, lawyers heavily relied on courtroom to make their mark. The ability to deliver persuasive oral arguments, exhibit courtroom charisma, and win cases was a crucial factor in evaluating a lawyer's competence and suitability. Indeed, courtroom prowess was a significant factor in securing more work and job opportunities from law firms or organizations seeking legal talent with a proven track record of success in litigation. However, with the advent of virtual court proceedings, young and upcoming lawyers will take time or find no chance to make their mark the traditional way.



The Chief Justice, Lady Justice Martha Koome presiding over a virtual court session

The emergence of virtual court sessions has fundamentally reshaped the legal landscape. It has replaced the dramatic flair of traditional courtroom appearances with a demand for technical competence and adaptability. For young lawyers, excelling in this evolving legal practice requires embracing this shift as an opportunity. The digital transformation has broadened the criteria for assessing lawyers, emphasising a diverse skill set beyond the theatrical courtroom style of the past.

Crucially, regardless of the changing legal landscape, technological advancements, or shifting client demands, what lawyers provide does not fundamentally change—it is their name, the expertise and trustworthiness associated with it that remain the cornerstone of their service. The reputation and trustworthiness carried by a lawyer's name are what clients and employers seek.

Therefore, young lawyers must strive to cultivate their reputation as long as expertise embodied in a lawyer's name continue to be their most treasured assets.

Indeed, young and upcoming lawyers must reimagine approaches to building a distinctive reputation. The road to recognition may indeed be longer, but it is not insurmountable. To thrive in today's digital legal landscape, young lawyers in Kenya should adopt a range of strategic approaches.

Firstly, young lawyers should place a high priority on mastering technology. They must invest their time in acquiring proficiency with digital platforms and emerging technological advancements. It is not sufficient for young lawyers to merely embrace modernity in age; Mere age should not be the sole indicator of modernity; rather, it is the possession of the knowledge and skills that can

provide a competitive advantage over their more established, senior counterparts who may have made their mark through traditional courtroom as the marketplace. In fact, this technological advantage may well be an opportunity that young lawyers can capitalize on.

Flexibility and adaptability are equally vital, recognising that the digital realm demands a distinct skill set compared to traditional courtroom appearances, urging lawyers to evolve their practices continuously. Immersion in online legal research tools and databases enhances their capacity and positions them as well-informed, research-driven legal experts amidst the digital transition.

Moreover, lawyers should engage in virtual networking opportunities such as legal conferences, webinars,

and online forums, to expand their professional network, fostering connections with peers, mentors, and potential clients. Some of the avenues young lawyers may rely on to showcase expertise effectively include elevating their online legal writing, through contributions like articles, blog posts, or legal commentary on pertinent topics. Specialising in a specific area of law can also set one apart in a competitive environment, attracting both clients and law firms.

Additionally, a commitment to life long learning is vital, with ongoing legal education programs keeping lawyers abreast of developments, emerging technologies, and legislative shifts. Seeking mentorship from seasoned legal practitioners can also provide invaluable guidance.

Lastly, while technological competence is essential, nurturing soft skills such as effective communication, negotiation, and empathy remains indispensable, whether in virtual or

physical settings. A client-centric approach, focusing on exceptional service, not only attests to legal skills but also serves as a valuable source of referrals, bolstering their clientele.

In conclusion, lawyers essentially trade in their names, representing a legacy of trust and proficiency. To be competitive and relevant, young lawyers must invest in maintaining the timeless value of trust, expertise, and their professional names. Amid the seismic shift and evolution in legal practice, young lawyers should prioritise technology proficiency, adaptability, networking, legal writing, strategic specialisation, ongoing learning, mentorship, and essential soft skills.

Benson Otieno is a student in the Advocates Training Programme



A Virtual Court session in progress



Kenya School Of Law Cultural Week, 2023

By Brian Cheruiyot

It is with great pleasure that I write about the successful Cultural event that was conducted by the Kenya School of Law in partnership with Star Times on Friday, the 8th of September 2023, at Kenya School of Law, Karen. The event was inclusive as it brought together students from the ATP, PTP and other members of the faculty of the Kenya School of Law.

By providing students with a venue to exhibit their diverse cultures, the event aimed to promote cultural diversity and reduce mental fatigue for a healthier lifestyle. The occasion brought students from ATP and PTP together on one stage, allowing them to freely engage with one another and enjoy themselves as part of the KSL community.

A committee was formed careful planning. The planning process begun weeks prior to the event date. Through the class representatives, the organisers provided timely and adequate notice to the students, ensuring that they were well-informed about the upcoming cultural week.

Participation

To ensure that all eligible students could register their interest, a google form was created. The google form had every category that any student could wish to participate in. Some signed up to,

actively engage as demonstrators of the many cultures—rappers, dancers, models and such. Others signed up to offer the different services, such as ushers, influencers, security and advertising. The event attracted over 600 students from both ATP and PTP.

The following were the events that were held:

(i) Mbuzi Tournament

Among the activities aligned for cultural week was “Mbuzi” tournament. On Wednesday, 6th September, 2023, ATP female students played against PTP female students where ATP emerged as the winners. The winner was awarded “Mbuzi” (a goat to roast and eat). On Thursday, 7th September, 2023, male students from both faculties, ATP and PTP, squared off where PTP team won by three goals to one. Consequently, the PTP team was awarded “Mbuzi” as well.

(ii) Modelling

At the center of Cultural week was modelling. For this activity, we had a total of eleven models with four coming from ATP and seven from PTP. The models underwent training from Wednesday to Friday. The models showcased their modelling skills during the main event on Friday. The judges fairly vetted the models taking into consideration cat-walking skills, attire, stage management, confidence, popularity and oratory skills. They thereafter crowned the winners as follows:

Mr. & Miss KSL
Mito John-Class E ATP
Judith Chemitei-Class D ATP

Mr. & Miss Culture (1st Runners Up)
Caleb Nyachieo-PTP

Brenda Mutuma-Class E ATP

Mr. & Miss Congeniality (2nd Runners Up)
Caleb Towett
David Dorris Amani

(iii) Main Event and After party

On Friday, from 5pm to 3am, we had the main event where we had the final competition for modelling, dance competitions, talent showcasing and other fun activities. The Kenya School of Law and Star Times together sponsored a number of artists.

There was an MC and student MCs and Deejays were given opportunities in an effort to develop their talents.

Payment

In appreciation to the services offered by the fairly selected students, models, model trainers, make-up artists and stylists and modelling judges, payment was made.

Challenges

One of the difficulties faced by the organizing committee was a limited budget. With a greater budget allocation, it will be possible to enhance the participation tokens.

In conclusion, we thank the management of the Kenya School of Law, led by our Director, Dr. Henry Mutai for facilitating the KSL Cultural week, 2023. It was an event full of fun and entertainment.

Brian Cheruiyot is the 2023 ATP Students Governing Council Sports Representative and a student in the Advocates Training Programme.



The Ball In Our Court: Prospects And Opportunities For Lawyers In Sports And The Creative Economy

By Victor Chaka

Introduction

One of the many values any sportsperson would attest they learnt from their respective sports would be discipline, hard work or for others, teamwork. There is also a little bit of creativity in every lawyer. Some enjoy poetry performances, music or the occasional theatre. In today's world, sports and arts offer more than just sources of entertainment or teachable moments especially for lawyers.

Sports, Arts and the Law

The relationship between law and sports or the arts is reciprocal. In the world of sports, like other human interactions, the law is used to settle disputes. Decisions of team selection, elections, and disciplinary decisions to ban countries or athletes are examples of such disputes. The law also defines the relationship between celebrities and their clients when they influence products and services.

Sports and arts are key in any society. Just like law, the two promote social relations. Sporting activities for example integrate people of different social differences and 'put the country on the map' in a way nothing else could. Artists and sportsmen have been able to earn their living and create wealth. The emergence of the creative economy has the potential to become a significant contributor to the national economy, which is ripe for lawyers to position themselves.

Recent Developments in the Law and Opportunities for Young Lawyers

Development in the two industries in Kenya is easily exemplified by the rapid institutionalization and organization that has been the apparent objective of the Ministry of Youth Affairs, the Arts and Sports in recent times. One such reform by the Ministry is the establishment of 'Talanta Hela'. The government is keen on investing in the creative industry which it sees as a contributor towards economic development through policies and institutions like the Kenya Film Classification Board. Creatives have also been boosted by the rapid use of social media. The COVID-19 pandemic brought with

it an increased use of virtual modes of communication. Marketers now use digital influencing apart from the traditional radio, television and print media. Most importantly, the government recognizes the effect that the creative industry has on the economy that it introduced taxes on the creatives' income as seen in the Finance Act, 2023.

Sportsmen and women are progressively being enabled by the government which is a shift from the neglect previously suffered. Athletes are usually a source of pride to the country which has a domino effect on our tourism, trade, and foreign policy. Sports like the arts, are the bread and butter of many Kenyan youth. The government recognizes this and has recently been in the news awarding achieving athletes. The recent joint bid by Kenya, Uganda and Tanzania to host the African Cup of Nations means the East African countries appreciate sports and the positive impact associated. The Sports Act established the Sports Disputes Tribunal which determines different





kinds of sports disputes. Kenya has previously been banned from sports like swimming and football for different reasons. A ban is a disciplinary action on countries or athletes imposed for doping, mismanagement of a federation or election of officials among other reasons.

The opportunities for young lawyers in sports and the creative economy cannot be exhausted in one article. From contractual obligations and intellectual property rights to cases where the artists or athletes are in conflict with the law lie many opportunities for lawyers. Others are in broadcasting companies and image rights, management agencies, the issue of working in foreign countries and associated tax procedures. The law also

criminalizes acts like match-fixing all of which are within the scope of a sports lawyer. Some of the international bodies in sporting activities include FIFA, World Athletics and the World Anti-Doping Agency which is established by the International Olympic Committee. The Court of Arbitration for Sports resolves disputes by rendering awards to parties that come before them.

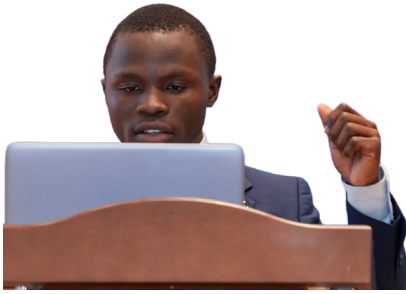
Recommendations

A concern is that the legal training in Kenya has trivialized emerging and ripe areas of the law like these. Sports law for instance is a blend of various disciplines like intellectual property law, criminal law, international law, employment law and immigration law. However, there are no clear courses for sports law in Kenya, with

the available ones being out of reach for many.

An indispensable recommendation to an aspiring lawyer in sports and arts would be to seek mentorship, network and gain experience as much as training and certification. Legal training should also incorporate the same in its curriculum. Continuous professional development courses and talks should include more of these emerging areas. Lawyers are placed to ensure that Kenyan sports and entertainment laws conform with the best practices internationally. The ball is literally in our court.

Chaka Victor is a student in the Advocates Training Programme



Creating Spaces for the New Generation: Integrating the Present and the New

By Micah Mukhwana

The world is changing at an unprecedented speed and only adaptive young leaders with the ability to think and act will succeed in this ever-changing world. Young lawyers and law students in general are the new generation and perhaps the future of legal practice in Kenya, Africa, and beyond. They can think, create, and innovate ideas into action for the benefit of a community in different ways, such as coming up with ways that enhance the operation of the firms through technology. They are also able to navigate the changes in the daily operation of business, be it in the corporate world or litigation.

The training offered at the School may not on its own be sufficient to equip young lawyers in the legal profession. Although it develops their skills and creativity and helps them do several practical activities, it is nothing if not acted upon. It is like a master who shows the pupil the way, but it is the obligation of the pupil to learn by themselves in order to know and apply the knowledge to real practice. The same is true to the legal profession but it needs a breath of fresh air in the sense that young lawyers need to be more adaptable, resourceful, and innovative and engage in different discourses and pursue creative and artistic endeavours that drive towards problem-solving.

Leadership is one of the most creative things that is shifting towards embracing young people in the practice and yet it has been underestimated. Basic things such



as negotiations are important in arranging a receptive way that brings clients' exigencies to tie their expectations to a desired contract or agreement. It is a skill that if practised day-to-day can be useful to the clients in solving their legal issues, and brings coherence, boldness, and sharpness to the practice. Additionally, it is through creativity and leadership that challenges such as mental health, which is fast pervading, the workplace, will be combated. The psychological effects of creativity and participation is that it relieves stress, increases productivity, creates positive thoughts, and creates happiness, largely contributing to a healthier legal practice and life.

Many young lawyers and students are revolutionary and have ideas that can improve the law or even become the voice of reason. More often than not, they do not have the platform to raise issues and are sometimes judged by others in the profession. This kills the morale of the majority of them, but the fact that these young lawyers are innovators cannot be changed as they are capable of using innovation and technology as compared to the older members of the profession. They are knowledgeable and aware of the new reforms in the technological

world, know the importance of the same, and can embrace and use them effectively in many areas of law. Their knowledge of technology makes them appreciate working closely with people who are able to adapt to the advent of AI and technology.

Creating a culture that embraces the new generation of innovators into legal practice is inevitable. Young lawyers should feel free and be supported to develop their skills. They should be attached to their masters or mentors and kept abreast of the latest innovations in the field. An atmosphere of socialization is also important in a bid to learn and foster inclusiveness as this reinforces and rewards the culture of connection between diverse working partners. While at it, openness to new career paths such as HR is also essential, to the business of a law and allows lawyers to work in different areas in order to gain experience and add on to their skills.

Micah Mukhwana is a second-year student at the Paralegal Training Programme at the Kenya School of Law



ISSUES OF INTEREST

Gen Z Responsive Teaching in Law School

By Naserian Sitelu

News flash! Generation Z is now in law school! That may or may not come as a surprise. What is apparent is that gen Z has distinctly different learning preferences to all other previous generations. At present, there are at least three generations teaching Gen Z i.e. baby boomers, gen X and gen Y (Millennials). Law school is a salad bowl of contrasts in the learning and teaching preferences of both the students and teachers. This divergence demands that law schools develop new teaching and learning strategies to respond adequately to this group of learners.

Generation Z, popularly referred to as Gen Z, is that group of individuals born between the year of 1995 and 2012. They are the first true digital natives, having grown with multiple digital technology at their disposal. It is reported that they spend an average of 15.4 hours on smartphones. They are adept multitaskers and require constant updates and stimulation. This has affected their attention span which is roughly estimated to be only 8 seconds long! On the other hand, they are didactic in their learning style with a high inclination to choose when and how to learn. They are highly independent and perceive themselves as smart.

This article suggests a number of teaching strategies that would be responsive to Gen Z students. To begin with, educators in the legal field need to ask whether the educational needs and expectations of this generation are being effectively met. This can only be answered by conducting a conclusive research to establish how Gen Z processes information and

how or whether technology has changed how they think. Nevertheless, there are various teaching strategies that can bridge the gap between the learner and the instructor

Firstly, educators need to adopt a hybrid learning approach that caters to the multiple learning styles of students and satisfies their different needs. The learning content should be designed to be relevant and cross disciplinary where need be.

Another strategy for educators is to break down the learning materials and activities into short segments. A TED talk approach to segmentation of the learning content can be adopted. Research has established that the perfect TED talk is 18 minutes long. TED organisers arrived at this number based on neuroscience and strategy. Eighteen minutes is long enough to pass across an idea and short enough to allow the learner to understand all the important information. Therefore, class activities and teaching should be broken down to this time limit.

Gen Z have grown up with technology and are therefore seeking experiences that use technology purposefully. Educators can therefore include a digital element in all assignments and activities. This can be achieved by using graphical presentations to engage with the learner. Closely related to the same is the use of social media approaches to learning. Educators can rely on social media platforms such as YouTube to create and share multimedia content such as videos, podcasts and video recordings that supplement classroom instruction. The instructor can also rely on Instagram for digital storytelling. Media and technology are powerful tools for teaching and

learning but there must also be caution so that they do not turn into our masters. To safeguard against this, in the classroom, educators can schedule time away from technology as well as reading in print.

Gen Z love to socialize and educators can capitalize on collaborative learning approaches. This can be achieved by carefully planning learning activities, subdivided into small groups to ensure that all individuals participate. This type of learning not only enhances interaction but additionally contributes to better communication skills, leadership skills and preparation for real life social and employment situations.

The traditional law school classroom employs a one size fits all teaching approach. However, Gen Z have a high propensity to take charge of their learning experience and crave personalized learning. It may not be possible to consider the needs, interests and strengths of each learner. In order to bridge the gap, educators should strive to give individual feedback and to tailor class activities and assignments in a manner that offers autonomy to the learner to choose their individualized learning plan. Educators can also consider developing class activities collaboratively with the learners.

Ultimately, teaching must remain relevant. Law school curricula must show a direct linkage to the market place and the teaching methodologies must be responsive to gen Z learning preferences.

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Unlocking Human Resource Opportunities in The Legal Profession

By Raphael Ogello

Kenya has a legal system that encompasses a fusion of common, statutory and Islamic law, reflecting the country's rich cultural heritage. Due to its historical background, Kenya's legal system is influenced by British law, which has deep roots dating back to the colonial period. As Kenya progressed, so did its laws. Kenya's legal profession plays an important role in promoting economic change in society, upholding the rule of law, ensuring justice, and establishing environmental laws essential for economic growth and innovation.

Human Resources (HR) is an essential part of a successful organization and is crucial to the recruitment, management, and development of company assets. Most importantly, its employees. Legal professionals play an important role in bridging human resources' efforts, especially when dealing with complex labor laws and regulations. In this article, we take a look at four ways in which legal professionals can take advantage of opportunities in the HR sector and thereby enhance the success of their organizations and the overall legal system in Kenya.

Ensure Legal Compliance

Kenya's labor market is well regulated, with laws regulating employment contracts, wages, discrimination, and workplace safety. Legal experts can help

reduce the risk of disputes and fines by ensuring companies comply with these laws. Legal professionals can play an important role in helping people ensure that their employers comply with employment laws and regulations. By providing legal advice and guidance, legal professionals help organizations maintain legal and ethical practices that protect stakeholders, businesses, and business interests.

Conflict Resolution

Conflict and business disputes may occur in business life. In such cases, legal experts are often called upon to mediate and resolve issues between the employer and employee. Legal professionals can ensure that disputes are resolved fairly and in accordance with the law, providing a fair solution for all parties involved. Through mediation and other dispute resolution methods, legal professionals can help organizations resolve employee disputes before they progress to litigation thus saving resources and maintaining compliance.

Drafting and Developing Policies

Legal professionals are also key players in the drafting and development of human resource policy documents, ensuring that they comply with national and international standards. These policies create a harmonious and fair working environment and promote trust and transparency in the organization. Legal professionals can work with human resources professionals to help create and implement policies that not only comply with the law but also improve employee performance.

Provide Training and Development

Legal professionals are responsible for educating HR teams and organizations about compliance with the law in HR practices. By providing training and guidance, they improve HR professionals skills in making informed decisions, resolving complex legal issues, and developing strategies to reduce the risk of litigation. Collaboration between legal experts and HR professionals aims not only to ensure legality but also to promote efficiency and harmony in the workplace.

Finally, Kenya's economic development is based on a strong and transparent legal system that ensures enforceable contracts, the protection of rights, and the effective resolution of disputes. The integration of the legal profession and human resources can benefit organizations and communities broadly. Legal professionals who are aware of their potential in HR roles can ensure business continuity, prosperity, and success in Kenya, by helping to create employment contracts, ensuring compliance, and providing legal advice. They can also promote an efficient workplace while managing legal risks. By using their expertise in legal compliance, problem-solving, policy development, and training, legal professionals can unlock valuable opportunities in Human Resources and shape the future of the legal profession and workplace in Kenya.

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Legal Education and Training: Opportunity to Entrench Ethics

By Sam Akhwale

6. Torts of an Advocate and Ethics and Practice within a Firm.

Professional Ethics is one of the units in the Advocates Training programme in Kenya. The presumption is that studying Professional Ethics inculcates ethical values in law students who go on to be admitted as advocates and get into public service and in private practice, the Corporate world or the Civil society.

The Current Curriculum on Professional Ethics

The course outline for the Professional Ethics course as at 2023 outlines the topics as:

1. Introduction and Overview of Professional Ethics and Practice;
2. The rights, privilege, and obligations of an advocate;
3. The limits(disabilities) of an advocate's duties, rights, privileges, and obligations;
4. Retainer; Advocate on a Retainer; Lien;
5. Advocate's (Marketing & Advertising) Rules 2012;

The course objectives are stated in the course outline as:

"At the end of the course, the students should be able to appreciate the theoretical and philosophical underpinnings of professional ethics. Additionally, the learners should exhibit a practical appreciation of professional ethics in the advancement of justice, the rule of law, and constitutionalism. It is expected that the students will also be well placed to trace the historical development and evolution of various laws, regulations, policies, and codes governing professional ethics. The course will also equip you with a concrete understanding of the modes of enforcement of the laws, regulations, and codes on professional ethics and practice. The students should also be able to assess the efficacy of professional ethics and practice laws in Kenya".

Do the objectives inculcate ethical values?

The objectives seem to limit the learner to appreciating, being able to trace the historical development, get an understanding and assess the efficacy of issues around professional ethics.

The students will appreciate the philosophy behind professional ethics, be able to connect professional ethics to advancement of justice, rule of law and constitutionalism, clearly give a historical development of the laws and regulations around professional ethics, and in an exam will very clearly state how the ethics are enforced. But the question that remains is, will the student apply the ethical principles they have learnt?

The Experience Post Kenya School of Law

Whereas as at time of writing I had not come across a specific survey on the relationship between teaching professional ethics and ethical conduct of advocates, some pointers in the field seem to indicate that the students study the subject merely to pass the exam and not necessarily to apply ethics in their professional life. Examples are:

- a) Online reports of students "masquerading" as advocates while on pupillage or before they are admitted to the bar.
- b) Complaints to the Advocates Complaints Commission and to the Disciplinary tribunal:

Learning Objectives/ Expectations

At the end of the lectures, students should be able to:

- 1) Explain the history of advocates' discipline in Kenya
- 2) Understand the ACC disciplinary processes
- 3) Understand the magnitude of professional misconduct as demonstrated by the ACC statistics
- 4) Understand and describe the procedure of prosecution of complaints at the Disciplinary Committee (DC)
- 5) On the given case studies, identify and explain the professional misconduct identified, charges to be preferred, and possible sanctions
- 6) Understand the standard of proof in professional misconduct complaints



Participants attending a CPD training on Advanced Negotiation for Lawyers

Whereas as at time of writing no specific data was available online on how many complaints are made annually or on decisions of the tribunal, a report from the nation media group stated that between January to March 2018, 234 complaints were received against Advocates. 19 lawyers were accused of withholding clients' money. 14 lawyers were accused of failing to offer professional services. One lawyer was accused of acting for a client without instructions while two were charged with failing to keep client's informed. The Advocates Complaints Commission had also fined eight. At the tribunal level, three were struck off the roll and five suspended.

c) Informal interaction with students in which some say they will have no objection to accessing a leaked exam paper if that will help them pass a bar exam.

d) Corruption in the administration of justice.

Curricula in Other Learning Environments

An Article by Paula M. Young, an Associate professor at Appalachian School of Law (ASL),

titled *"Teaching Professional Ethics to Lawyers and Mediators Using Active Learning Techniques"* describes an active learning environment as one in which among others *"the learning environment motivates students to learn and apply what they learn, not just to perform on [exams]"*.

Lisa G. Lerman of The Catholic University of America, Columbus School of Law in an article on Teaching Ethics In and Outside of Law Schools: What Works and What Doesn't notes that some of the approaches that work in teaching ethics include *"...bringing lawyers and lawyer regulators into the classroom...Asking questions that ask for thoughtful analysis, questions that can be answered by thinking..... Short, focused small-group discussions followed by a large-group discussion of the principal arguments and conclusions..."* among others.

An article on the Institute of Management Development (IMD) website by Liz Ritterbrush on *"Finding The Good in People: How to Recruit Ethical Employees"* states that *Best-in-Class organizations conduct workshops where people work through ethical dilemmas and are trained on how to approach them..."*

Conclusion

In view of the above, it may be prudent to change teaching and testing professional ethics to emphasize on attitude change more than head knowledge. It may include employing tools that can assess if the learner has inculcated the right values and attitudes, similar to those used in hiring ethical employees, such as conditional reasoning tests. Candidates select how they will respond from a range of options and provide a rationale for their response and situational judgement tests (SJTs) which measure a candidate's response to a range of situations they are likely to encounter in the workplace.

Professional Ethics are only good if they are reflected in professional practice. The curriculum on Professional Ethics must achieve the objective of producing lawyers who practice what they learn about professional ethics.

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The Power of Content Marketing in the Digital Age

By Faith Wanjiku

Consumers are more knowledgeable and picky than ever in the digital age due to the wide range of data available to them online. Content marketing is a strategic marketing approach that involves creating and sharing online material such as blogs, video, podcast and many others to a specific audience to build and nurture relationships with potential and existing customers.

Building these relationships is made possible through sharing information that is not overly promotional but arouses customer interests and addresses needs and pain points. In contrast, traditional marketing techniques fail to engage and connect with the target audience. This gives a leeway to content marketing to win customers in contemporary society. Marketing has taken a new trajectory through content marketing by enabling businesses to build and nurture a rapport with new and potential clients.

Content marketing accrues many benefits to an organisation seeking to get its products and services moving. Its ability to foster credibility and trust is one of its main advantages. Businesses establish themselves as sector authorities when regularly creating high-quality educational content hence increasing the likelihood of customers to believe and purchase from them.

A. thoughtful blog post, a thorough e-book or an in depth video can leave a lasting impression and foster trust in a way that conventional advertising cannot

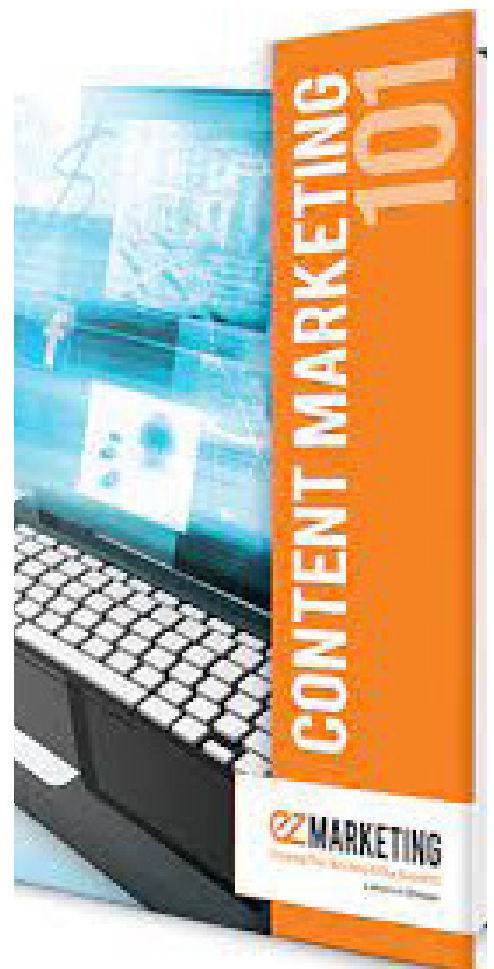
“Know your Customer” is at the heart of content marketing. Researching the various preferences of the target audience is important to generate content that is most appealing. Effective content improves the chances of grabbing the attention of the target audience by generating information that meets the needs and resonates with the interests of the audience. To create the right content for the target audience, a business must conduct a thorough research of the prospective buyer profile.

Blogs are the most common form of content marketing. They enable an organisation to post its content in a set chronology comprising a variety of topics. For blogs to be effective, they must be updated regularly to suit the audience. Blog posts engage audiences, share knowledge and encourage profitable client behaviour. It is essential to note that content marketing extends beyond just the written form of blogs, to include podcasts, infographics, and videos.

The complexity of information determines the format of content to give out to the audience. For very complex information, videos are the best as they employ illustrations and

allow for explanations, hence making it easy to understand.

Similarly, infographics can make data and figures more straightforward to understand as they combine text, images, and graphics making the content more appealing to the sight. Infographics are suitable forms of content for information that requires step by step guidance in the case of a process or ‘how to’ information and also allow for comparison of products and services that a company offers hence, allowing the audience to make informed decisions.





Additionally, podcasts are audio-based content that is suitable for audiences who prefer listening over reading. They usually feature guests and a host discussing a topic in a conversational way hence they engage the audience to follow the conversation. Podcasts come in handy for complex topics making it easier for the audience to understand.

It is worth noting that creating good content is only a fraction of the circle. The internet has a wide range of information and it is up to the audience to choose what information they want. At this juncture, search engine optimisation(SEO) comes into play. SEO ensures that the visibility of your content is enhanced by appearing on the first page of the search engine when prompted hence bringing

more traffic to the website. SEO and content marketing work together to produce best results. To boost SEO, content must be updated more often.

For best results, a company must keep track of its content marketing efforts through analytics tools offered by search engines. This helps one to gauge the performance of the content and strategize accordingly. A good analysis of content performance involves taking into consideration indicators such as click-through rates, website traffic, and conversion rates i.e. the rate at which clicks are converted into buyers.

Multinational companies have successfully built their brands through content marketing. The extreme sports movies and event coverage produced by Red Bull are excellent examples of the company's

'gives you wings' brand philosophy. Their material embodies the Red Bull way of life and attitude rather than just advertising the product.

In a world where customers want authentic and valuable information, content marketing has become a potent instrument for brand visibility, customer loyalty, and trust. As organisations go online, creating and sharing compelling and helpful content will remain crucial to marketing success. Content marketing's capacity to connect, solve problems, and serve the target audience makes it powerful. Businesses can navigate the digital environment better if they adopt content marketing as their go to promotional strategy.

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Perspective of Gen-Z lawyers in the Legal Profession

By Ruth Githaiga

Prior to the COVID-19 outbreak, the legal practice was dominated by the traditional physical method. The outbreak resulted in countless changes to the legal practice landscape. These changes included, virtual courts, introduction of electronic filling and remote working. More recently, there is Artificial Intelligence which has taken root in the legal profession and it may indeed transform the practice of law to unimaginable heights. Other changes include shifts in client expectations, and evolving societal needs. Therefore, traditional legal education may no longer fully prepare lawyers for these changes.

With all the changes, the legal profession may be less about human resources but more about persons with expertise in technology. The new generation of legal professionals is accustomed to digital tools. This generation is presumed to be more conversant with technology unlike their older counterparts. Therefore, the legal training programs need to incorporate technology-driven learning methods, such as online courses and virtual reality simulations.

Currently the workplace is a dynamic environment as it continues to evolve and the legal profession is no exception. The evolution in legal profession is not limited to dynamism in the law, but also, to the dynamism in

its practitioners in terms of their different backgrounds, education, sex, gender and importantly age. Generation Z or as referred to Gen Z is a generation of younger practitioners who embrace new and emerging practices, procedures and developments in a dynamic environment. Gen Z grew up alongside technology and the digital revolution, and they have a unique advantage over those who came before them in interacting with the digital world. This generation opts for mobile and out of office engagements through new age technological based platforms such as video conferencing and internet based chat-rooms with information readily sourced and shared at the click of a button.

Many people describe Gen Z at the work place as extremely demanding, unsettled, and transitory with no sense of commitment to positions. How can Gen Z survive in the legal profession? We need to recognize their unique strengths and challenges and they need to be aware of the expectations and demands of the legal profession. Embracing the new generation also involves addressing issues of diversity and inclusion. Legal training programs should prioritize creating an inclusive environment that reflects the diverse backgrounds and perspectives of today's society. Through collaboration and open communication, employers and Gen Z lawyers can find a way to balance their interests and work together to achieve success. To sum it up here are some tips on how organisations can help this generation thrive:

a) Consider embracing technology if they want to attain a high level of productivity for their customers and employees.

- b) Be aware of their values and mindset and be receptive to fresh perspectives and provide them with the freedom to express their opinions.
- c) Provide opportunities and the chance to advance in their professions since they are ready to learn new things. Determine the areas where their talents can be improved and give them the resources and mentoring they need to achieve their objectives.
- d) Provide flexible scheduling options and opportunities like telecommuting, shortened hours and provide remote working opportunities embrace cooperation and problem-solving efforts, by promoting teamwork and fostering an atmosphere that values all opinions
- e) Consider creating environments which have quick access to new ideas and activities that allow the Gen Zs to remain engaged and motivated in the workplace

In conclusion, legal training is evolving to meet the needs and expectations of the new generation, which involves embracing technology, interdisciplinary knowledge, diversity and inclusion, collaboration and networking among others. By adapting to these perspectives and opportunities, legal education will prepare the new generation of lawyers to excel in a rapidly changing legal landscape.

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Bridging the Ethical Divide: Addressing AI's Bias in Algorithms

By Linie Karanu



An algorithm is like a set of rules or instructions designed to solve a problem or complete a task. Think of it as a recipe for your favorite dish – it tells you what ingredients you need and the exact steps to follow for cooking it. In the world of computers, algorithms are used to tackle various problems, such as organizing a list of numbers or finding the best route on a map. They act as detailed roadmaps that help both computers and people perform tasks with efficiency and precision.

Algorithmic bias is a situation where the decisions made by an algorithm result in unfair outcomes that favor certain groups without any justifiable reason. When we talk about AI bias, we are referring to irregularities in the results produced by machine learning algorithms. These biases can stem from unfair assumptions made during algorithm development or from biases present in the data used to train these systems.

AI systems learn from the data they are given, and if that data contains biases, the AI can unintentionally perpetuate and sometimes worsen those biases. For example, AI used in hiring processes might inadvertently show preference for one demographic over another, leading to unfair hiring practices.

In the last decade, algorithms have taken over decision-making roles across various sectors of society. Many industries have shifted responsibilities to powerful algorithms, promising data-driven, efficient, accurate, and fair decision-making. However, poorly designed algorithms pose a significant risk by potentially perpetuating biases and creating unfair outcomes.

Preventing algorithmic bias is essential for promoting fairness in algorithm use. Several measures can be employed to minimize bias in algorithms. First, using diverse and representative data during algorithm training is crucial as bias often results from skewed or incomplete data. Regular auditing and testing of algorithms, particularly in sensitive areas like hiring and criminal justice, help identify and rectify disparities. Transparency and accountability from developers and organizations are vital for explaining how algorithms work and their data sources.

Bias mitigation techniques such as re-weighting data or using bias reduction mechanisms within algorithms can be applied. Diverse development teams are effective in identifying and addressing bias during development, benefiting from a range of perspectives. Encouraging user feedback and reporting can help refine algorithms continuously. Governments may establish regulatory frameworks, and continuous monitoring of algorithms is necessary to adapt to evolving biases. Ethical guidelines prioritize fairness, transparency, and accountability, while education and awareness initiatives help in understanding and addressing bias effectively. While complete bias eradication may be challenging, implementing these strategies significantly reduces bias, ensuring fair outcomes across various applications.

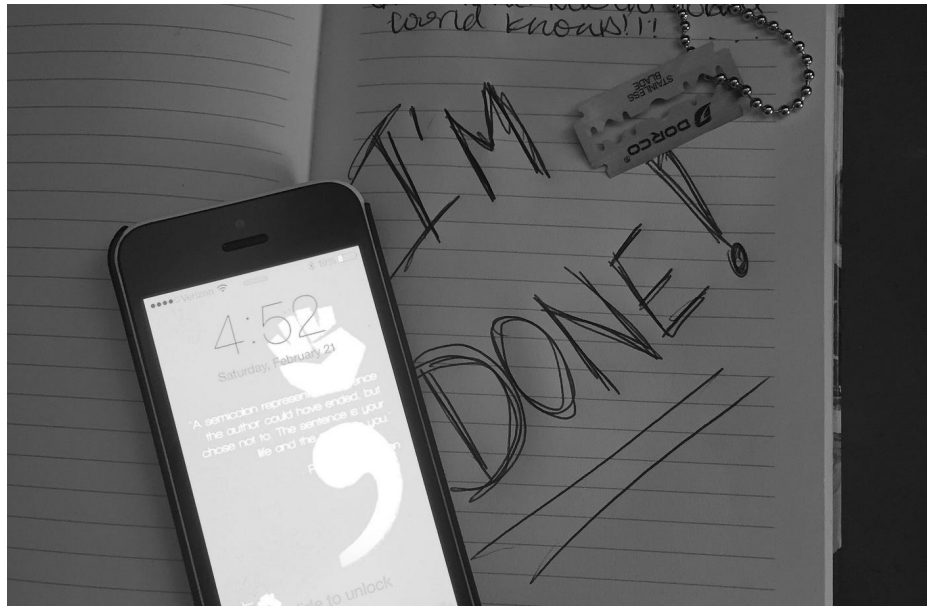
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Mental Health: Addressing Suicide

By Dorcas Mwachia

Suicide is a major public health problem with an estimated 700,000 suicides per year worldwide according to the World Health Organization. The increasing number may be influenced by factors such as unemployment, domestic violence, drug abuse and other socio-economic factors. According to World Population Reviews, Kenya is ranked 114 out of 175 countries with high suicide cases globally. Tragically, news of suicide cases keeps rising.



Even when our lives appear fine from the outside, locked within can be a world of quiet suffering, leading some of the individuals to end their lives. Sometimes it can be painful to be alive. I know you have heard statements like; 'I am tired of all this life', 'I don't belong here', 'I wish I were dead', 'Nothing good comes out of me', 'No one appreciates me' and 'I feel am a burden'.

Consequently, when someone takes their own life, family and friends of the victim feel devastated, with a lot of second-guessing and a list of unanswered questions.

"Why didn't I see the signs?"

"Why couldn't they speak about it?"

"Why didn't I just listen more?"

Well do you know people who are suicidal don't just wake up

one day and say, "Hey, it's time I'm going to kill myself"? They go through a period of suicidal thoughts and feelings that can last six months to one year.

Suicide is very complex; the Biodyne Model gives the three stages of suicide as follows:

Stage 1 – Ideation stage.

The person experiences dark thoughts accompanied by a sense of feeling unable to find a way out of the situation. The thinking pattern starts to feel like a tunnel, they do not see any opportunity because of being blinded by pain. However, at this stage the fear of suicide still outweighs its attraction. Depression slips in while vitality seeps away. Constant pain and hopelessness engulfs the person.

Stage 2 – Planning stage

The person starts formulating a plan as a way out.

Behaviour change can be noticed, for example withdrawing and isolating so that they can have an ample time to find a 'better' and lethal means to use. Depressive episode becomes chronic and they may express losing interest with their normal activities. This stage does not last long because it is psychologically painful.

Stage 3 – Decision stage.

The person goes on "auto-pilot", he has already made the decision to commit suicide within the next 48 hours. They seem to have recovered from the symptoms of depression. Unfortunately, most family members breathe a sigh of relief because their loved one seems so much better.

The decision brings a relief for the suicidal person because what they have been wrestling with for a while is coming to an end, in fact family members should be alert to

a depressed person who does not seem to improve after months of intervention and then suddenly seems to get better.

To summarize the above stages let us do some maths adopted from Three Step Theory by Klosky D and May A.

Pain + Hopelessness = Suicidal Ideation

Suicidal ideation + Low Connectedness to Life (Purpose, Social connections, Feeling Like a burden to others) & Capability = Suicide attempt.

Unsuccessful suicide attempt is likely for the person to try it in different ways again and again.

In addition, some of the warning signs that a person may be at risk of suicide include;

- Engaging in risky behavior that could lead to death

- Talking about and making plans to attempt suicide

- Giving away valuable possessions

- Writing a lot of goodbye letters at once to everyone who is significant in their lives

Therefore, understanding the suicidal belief system will help us to break the silence and stigma for suicide attempts survivors, because the core of chronic suicidal thoughts is interpersonal issues.

If you or someone else is experiencing chronic suicidal thoughts, talk about it. It is a conversation we must keep having and if the person comes to you, here are some things to keep in mind;

- Be non-judgemental

- Do not act shocked or remain secretive

- Accept them and listen attentively

- Show interest and support

- Do not minimise or shame a person into changing their mind.

If you are having a suicidal crisis this is what you can do;

- Reach out to a mental health professional immediately

- Engage in self-care like eating well, exercising and listening to music that boosts your mood

- Change your thinking patterns from black- and- white, right- or - wrong to a more balanced and gentler with your belief system.

- Connect with friends and family and talk about your thoughts on suicide.

Suicide is preventable if we continue embracing the theme of creating hope with our actions. No matter how big or small our actions are, it may give hope to someone struggling with suicidal thoughts.

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Prospects and Opportunities in Legal Training in Kenya: Embracing the New Generation

By Cornelius Lupao

The evolution of the legal profession has been fueled by the significant legal reforms implemented over the years. The Constitution of Kenya 2010 ushered in dramatic ripple effects in the judiciary including the vetting of magistrates and judges in 2011 in response to public demand for integrity, transparency, independence and competence within the institution. The new Constitution consequently triggered the enactment of new laws to implement the new governance structures of devolution. This required the participation and vigilance of the legal profession.

According to Justice Richard Mururu Mwongo, *“Young lawyers are more likely to learn pillars of the profession by spending their compulsory pupillage period under the watch of senior practicing lawyers.”* Former Law Society of Kenya Secretary, Mr. Apollo Mboya argues thus,

“As the trail blazers and pioneers of the legal profession get older, there is emergence of a large group of young professionals in the age group of between 20 to 35 years who now form the majority of the members of the Law society of Kenya. These are terrifying times for those having difficulty accepting and dealing with change. In a fast-paced, discontinuous change environment, the bar, law schools and law firms must recalibrate to emerging trends.”

To this end, there are various emerging opportunities that should be embraced by the new generation practitioners in order to keep up with the fast-changing legal practice landscape in Kenya. A number of them are discussed below:

Opportunities in the extractives sector:

Lawyers have a duty to ensure employment laws are followed and local communities are involved in the exploration activities and are fairly compensated. The lawyer, in this case, is key in advising the communities, from whence, the extractive resources are domiciled, on fair labor practices, rights to form trade unions as well as negotiate on their behalf for proper working terms and conditions.

Opportunities in environmental and health sector

As an emerging area of practice, there are immense opportunities in this sector. The lawyer is expected to advise the local communities on their right to a healthy and clean environment, as is espoused in the Constitution of Kenya, 2010. Similarly, the lawyer is a critical player in ensuring that processes such as environmental impact assessments, environmental audits, strategic environmental audits as well as Socio-economic impacts of projects are conducted and are strictly adhered to. The lawyer will be instrumental in agitating for the rights of the local community and enforcing standards. This may be done by taking up litigation on behalf of such communities, or educating them on their rights *vis a vis* the interests of the economic private players.

Opportunities in dispute resolution

In every commercial or civil engagement there is the lurking possibility of a conflict occurring.

For this reason, virtually all modern contracts will include a clause of dispute resolution. The trend has seen most contractual parties moving away from court room litigation and shifting to arbitration, mediation, conciliation as well as structured/ executive negotiations. It is upon the new generation lawyer to find his/ her place in the alternative dispute resolution mechanisms so as to play a role in shaping the discourses within this area of practice.

Opportunities in the capital markets:

According to Mary Njuguna, a capital markets expert, Macroeconomic indicators point to the fact that Kenya's economy is on a steady rise. The 2023 International Monetary Fund and World Bank assessments rank Kenya as the fastest growing economy in Africa. This economic growth is reflected by an upsurge in stock exchange activities, increased demand for long term funding for private enterprise, proliferation of more sophisticated financing options, prominent focus on infrastructure development and a greater leaning towards the capital market to match long term funding needs. The growth of the capital market sector in Kenya is not mutually exclusive to development of legal practice areas and new generation practitioners are encouraged to

strategically position themselves so as to cut their niche in this very novel area. Lawyers are required to undertake due diligence to ensure that companies are compliant with its statutory obligations, prepare or review the legal documentation required in public offers and give ancillary legal advice on prospective investors etc.

Opportunities in regional practice

As per the immediate, former East Africa Law Society President Aggrey Mwamu, the discovery of oil, gas and huge mineral deposits coupled with huge interest of the Western and Eastern powers in East Africa must begin to sound the alarm bells in the ears of every new generation lawyer in terms of cross-border focus. The new scramble for the new discoveries of minerals in

East Africa has ushered in a new cross-border interest in practice, with huge market segmentation.

Opportunities in Fin-techs and ICT related areas.

It has been argued that the strength of the 21st century young lawyer lies in the understanding and use of technology as a practice tool and area of core competence.

This includes application of technology in the financial transactions, where Kenya is a market leader in the region. As has been acknowledged, the current world has become tech-driven and information-powered, such that the entire spectrum of communications is available at the click of a button.

The world is becoming more interconnected and smaller with the click of a button. With increased knowledge and specialization as a result of the many areas that come with the growth and development of technology, the 21st century lawyer can use all this to shape the course of their practice. Client demands have become primary drivers of change within the legal profession. If the new generation lawyer embraces any of the above emerging areas, no doubt they will have an edge over those who will remain focused on traditional and long established areas of practice.

Cornelius Lupao is an Advocate of the High Court of Kenya and a Principal Research Officer at the Kenya School of Law



Commissioner Doreen Muthaura, MBS, Commissioner at the Independent Policing Oversight Authority (IPOA), KSL Director, Dr. Henry Mutai and CPD Lecturers at the opening of a training on Legal Audit and Compliance for IPOA.



Technology in Legal Business Processes

By Martin Kembero

Legal training in Kenya has evolved in many ways, through the support of technology and other enabling factors which are key in unlocking the law in the current generation.

More opportunities have been discovered through the use of technology. The traditional workflows have been distributed efficiently in collaboration with cloud based tools and artificial intelligence driven research platforms. These tools have enhanced productivity to deliver client expectations.

In today's world the power of networking is vital in connecting the world globally. Subsequently building strong bond relation and a robust network has brought immense value and opportunities for growth and development in widening the legal profession. For instance, through LinkedIn most lawyers are able to connect with the international professionals engaging in meaningful conversations, sharing knowledge and seeking guidance within these communities which leads to empowerment and promotes best practices.

Data privacy and security of clients is one of the core challenges related to maintaining



client confidentiality. Legal professionals must remain vigilant to safeguard the data of their clients. This involves implementing robust security measures, staying up to date with privacy regulations, and regularly educating themselves on the emerging threats. Embracing technologies like encryption, multi factor authentication and secure cloud storage can boost data protection efforts and provide peace of mind to clients

As technology continues to take shape, clients seek to have efficient, transparent and cost effective legal services. Law firms must adopt these changing expectations by embracing digital tools and providing innovative solutions. Use of tools like online client portals, document management systems and secure communication platforms enable lawyers to secure and maintain enhanced records of their clients. This increases trust, strengthens client relationships and distinguishes legal professionals in the market place.

Learning and upskilling is one of the essentials of increasing knowledge. Participating in webinars, engaging in an online course is one of the best ways to stay updated on legal technology today. The Kenya School of Law can position itself as a leader in legal education by seeking new knowledge and embracing emerging technologies.

Emerging technologies have brought remarkable changes in the legal profession. This demands robust collaboration amongst stakeholders to ensure customer satisfaction.

Martin Kembero is an Assistant Administration Officer at the Kenya School of Law

Reflecting on a Remarkable Career: An Interview with Eunice Boro, The Longest Serving Library Staff Member

Q&A session

1. How is your typical day at the library like?

My day at work starts from 8:00am on the normal shifts because we normally have two shifts. So when in morning shift I start by shelving back books, and ensuring shelves are neatly arranged then I proceed to circulation desk till noon then I exchange with my other team members. When not on the circulation desk I sit at my work station attending to other assignments. At circulation desk what I mainly do is serving patrons who are borrowing and returning books and responding to general queries

2. Describe your journey at the Kenya School of Law, from your very first day until now. What moments or milestones have shaped your career at the School?

I started my career at the AG chambers, Department of Attorney General in 1987 but was transferred to the Kenya School of Law in 1989 which was located on Valley-Road (Old School). I was employed at the AG as a support staff and when I was transferred to Kenya School of Law, I was still a support staff working at the hostels but there was a time I was reassigned duties in the library. It is at this point that I came to know more about library and developed interest in the library. At this point I wasn't doing much except general cleaning and dusting of books. In 1999 there was a need to have one support staff redeployed to the library because majority of staff who were in the library then had taken early retirement, so I am the one who was chosen to work in the library full time. I was working side by side with my colleague Benta who was my major inspiration and mentor. By then I had not taken library studies and I was only doing what I was instructed to do. For this reason, in the year 2000 the



School sponsored me for a certificate course in information science. At some point I was redeployed at the Directors office where I worked from 2004 to 2006, then I went back to the library and was in 2006 promoted to the position of library assistant. This was also the time that the School had detached from the Ministry and became a Semi-Autonomous Government Agency (SAGA) in July 2006. While in Valley-Road, the library was a very small room with side shelves on the wall and with very few books. Since the school became independent, I have witnessed tremendous changes; the School started purchasing books in bulk while in the past it could purchase only four to five books and after a very long time. The library has grown because we started increasing shelves year after year so we now have several collections in the library. Library services were done manually in the past, where we used catalogue cards; we did not

have computers. Integrated library management systems like KOHA and Integrated library security system like Radder among other systems developed later in terms of technology. In the past there was no extension of time for patrons borrowing books due to lack of proper systems. In the past we were also working for longer hours without offs or compensation but we presently have shift system that is working well.

3. Could you please share an outstanding experience or project from your rewarding career?

What stands out for me is the period when we were digitizing all student notes and handouts issued by lectures and putting them online, so that they could be accessed easily. This exercise alleviated too much photocopying work because we

could do a lot of photocopying daily. In fact, most people never wanted to work in library then. This really improved efficiency and service delivery because students can now access notes from any location.

4. In your view what significant technological changes have been impacted in the KSL library?

As I mentioned earlier we have KOHA and Radder systems, KOHA is a system that has replaced the manual way of managing library services including checking in and out borrowed library resources. Radder is for security management. Before the installation of the system the library was reporting a high number of lost books but after the installation we have very fewer cases of lost books. These two systems have really helped. KOHA also maintains a record that cannot be manipulated unlike the traditional cards that could get lost or compromised.

5. Looking back on your distinguished career, what are the most significant changes you have observed in the library and at KSL as a whole?

The School has really changed, if I compare what we had in the old School and what we have now-the space, structures, systems and even the geographical location you cannot compare what we had then. In the old School we had very few students because the class was only one so it could not admit many students. I remember at some point members of the public started complaining about limited admissions available but nothing much could be done. When we moved to Karen main campus, we were able to accommodate more students. In the past we had classes the whole day. Currently there

are students who come in the morning while others in the afternoon. We also had many subjects in the past but currently we have fewer units. When I joined the School, it was offering everything for free, including accommodation, food and transport to the students. They could be transported from the School to the chambers where they were doing pupillage and back. In fact, they could be paid some money to sustain themselves. This went on until about 1993 when the government decided not to sponsor them any longer. As from then students fully cater for their fees and accommodation.

6.What were some of the most challenging moments or situations you had to navigate during your time, and how did you overcome them?

There was a time when I had a child with a medical condition. It was the most difficult time for me. This was my last born and the older ones were already in secondary school. The condition had immobilized my child and could not move or do things on her own. I was expected to work at the same time take her for therapy and medical check-up. I did not have a shoulder to cry on, but I kept putting more effort to support her. I used to ensure that I have cooked food and washed the child before leaving for work. It was difficult because I was also doing my diploma then. My team members really helped me, because I could inform them each time I had to attend to her. Majority could fill the gap and stand in for me because sometimes I could be away for weeks. Sadly, she later passed on.

7.What will you miss most about working in the library?

I enjoyed the satisfaction the library users get when I am serving them. So I am going to miss the library because I was very passionate about my work. I am also going to miss my colleagues whom I interacted with frequently in my active working life

8.What personal goals and aspirations do you have as you transition into retirement, and how do you plan to spend your time?

I have been doing farming so I will continue with it. I also intend to set up a business in Nairobi, so I will still be around but operating in between my rural home and my urban residence.

9.Do you have any specific wishes or hopes for the School's future success as you transition into retirement?

I started working on a very minimal salary. I would like to encourage my colleagues to appreciate and thank God for what they are getting and opportunities they have. It is also my hope that the school will come up with other ways of motivating staff.

10. Lastly, is there anything you would like to express to your colleagues, supervisors, or the organization as you bid farewell to this chapter of your life and career?

When it comes to retirement many people get worried. Everyone should understand that reaching retirement is a favor and one needs to thank God. People should know that this is a journey and to retire while healthy is a great thing.

I would like to thank the School for giving me a chance to express myself. I have received a lot of support from the management and the rest of my colleagues. During my working period in the School I lost several people close to me but the School really supported me and I am very grateful.

Interviewed by Raphael Ogello, the Human Resource Assitant at the Kenya School of law

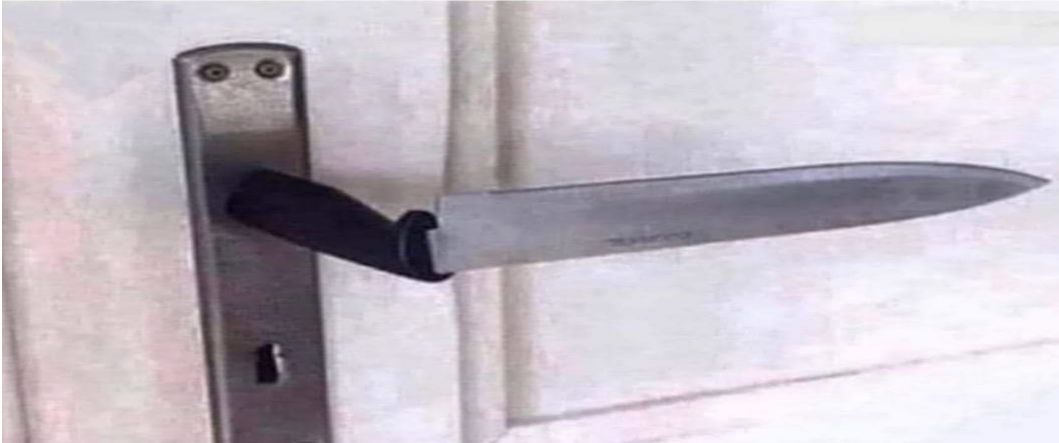
Just for 'Lawghter'



"Many doors will open for you
after you become a lawyer."

The doors:

LawyerIssues



- 1.What do you call a lawyer who's always happy? A rare breed.
- 2.What do you call a lawyer who's always falling asleep in court? A drowsy defender.
- 3.A lawyer was walking down the street when he saw a sign that said, "Free puppies." He thought to himself, "I can't pass up a free puppy." So he went into the house and saw a litter of puppies. He picked one out and started to walk away.

The owner of the house said, "Hey! You can't just take one of my puppies without paying for it!"
The lawyer replied, "The sign said 'Free puppies.'"
The owner said, "That's right, but you didn't read the fine print."
The lawyer said, "What fine print?"
The owner said, "The fine print says that you have to be a lawyer to get a free puppy."
The lawyer smiled and said, "Well, I'm a lawyer."
The owner said, "Oh, really? Then you should know that the fine print also says that you have to take all of the puppies."
- 4.A man was walking down the street when he saw a lawyer standing on a corner with a sign that said, "Will work for food." The man stopped and said, "Why are you standing here with a sign that says 'Will work for food'? Don't you have any money?"The lawyer replied, "I have plenty of money. I just don't have any clients."
- 5.How can you tell if a lawyer is lying? Other lawyers look interested.
- 6.Why did the lawyer bring a pencil to the courtroom? Because they wanted to draw their own conclusions.
- 7.When do lawyers smile? They wait till they see the bill
- 8.Why did the lawyer attend art school? To master the art of objection.
- 9.What do lawyers wear to stay cool in the summer? They wear their legal briefs.
- 10.A photographer hurriedly rushed into his attorney's office and screamed, "I think someone is framing me!"

Compiled by Fredd Wakimani

KSL Events Highlights



ATP students attending a legal aid activity at Shimo La Tewa GK prison, Mombasa County



KSL Director, Dr. Henry K. Mutai with participants during a sports event.



Mrs. Deloris P Jordan (second right), Founder and Chairperson of the Kenya Women's and Children's Wellness Centre (KWCWC) together with the KSL Director, Dr. Henry Mutai (right) accompanied by the PTP coordinator during the signing of an MOU between the two institutions



PTP students participating in a moot court competition.



KSL staff participating in the Stanchart Marathon 2023



ATP Assistant Director, (right) together with KSL Lecturers attending a welfare get together ceremony



ATP students and lecturers celebrating the Customer Service Week 2023



Senior Lecturer, Samuel Mwaniki presents a certificate to Miss KSL 2023 during the KSL Gala Awards Ceremony.



Students from Baricho Boys Secondary school during a visit to KSL.



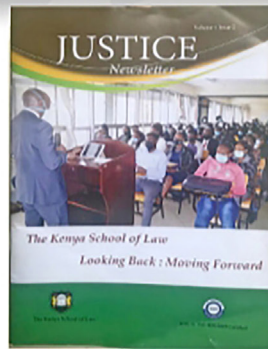
ATP Mentorship session held in October 2023



Centre for International Health Education and Biosecurity (Ciheb-Kenya) Senior management together with the KSL Director accompanied by Principal Lecturer, Anastasia Otieno (second right) and the PTP coordinator, Mark Mukuha (right) upon the signing of an MOU between the two institutions



The Uganda Law Development Centre (ULDC) staff and Director (centre) pay a courtesy call to the KSL Director, Dr. Henry K. Mutai (3rd right) accompanied by KSL senior management team.



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